

EXHIBIT 3

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NETWORK PROTECTION SCIENCES,)	
LLC,)	
)	
Plaintiff,)	
)	
vs.)	No. 3:12-CV-01106-WHA
)	
FORTINET, INC.,)	
)	
Defendants.)	
)	

- CONFIDENTIAL ATTORNEYS EYES ONLY -

FEDERAL RULE 30(B)(6) DEPOSITION OF
FORTINET, INC.
DEPOSITION OF WILLIAM JEFFREY CRAWFORD
San Francisco, California
Tuesday, June 18, 2013

Reported by: Peppina Rayna Harlow, CSR No. 7433
DEPOLINK JOB NO.: 16649

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION
NETWORK PROTECTION SCIENCES,)
LLC,)
Plaintiff,)
vs.) No. 3:12-CV-01106-WHA
FORTINET, INC.,)
Defendants.)

FEDERAL RULE 30(B)(6) DEPOSITION OF FORTINET, INC.,
DEPOSITION OF WILLIAM JEFFREY CRAWFORD, taken at
Quinn Emanuel Urquhart & Sullivan, LLP, 50 California
Street San Francisco, California 94043 commencing at
10:39 a.m., on Tuesday, June 18, 2013, before Peppina
Rayna Harlow, CSR No. 7433, empowered to administer
oaths and affirmations pursuant to 2093(b) of
the Code of Civil Procedure, personally appeared

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1 APPEARANCES:

2

3 FOR PLAINTIFF NETWORK SERVICES SCIENCES:

4 GIBBONS, P.C.

By: JILL F KOPEIKIN, ESQ. (GCA)

5 By: CHRISTOPHER STRATE, ESQ.

One Gateway Center

6 Newark, NJ 07102-5310

Tel. 973-596-4500 Fax. 973-596-0545

7 email: jkopeikin@gcalaw.com

cstrate@gibbonslaw.com

8

9

10 FOR DEFENDANTS FORTINET, INC.:

QUINN, EMANUEL, URQUHART & SULLIVAN

11 By: ANDREW M. HOLMES, ESQ.

50 California Street

12 22nd floor

San Francisco, CA 94111

13 Tel. 415-875-6322 Fax. 415-875-6700

e-mail: drewholmes@quinnemanuel.com

14

15

Also present: Todd Nelson, Inhouse Counsel Fortinet

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1 SAN FRANCISCO, CALIFORNIA
2 TUESDAY, JUNE 18, 2013, 10:39 a.m.

3
4
5 WILLIAM JEFFREY CRAWFORD,
6 a witness in the within-entitled matter, called
7 as a witness by the plaintiff, who, having been
8 duly sworn by the Certified Shorthand Reporter
9 to tell the truth, the whole truth, and nothing
10 but the truth, testified as follows:

11

12

13 EXAMINATION

14 BY MS. KOPEIKIN:

15 Q. Would you please state your name for the
16 record?

17 A. My name is William Jeffrey Crawford.

18 MR. HOLMES: Do you want to do appearances really
19 fast.

20 MS. KOPEIKIN: Yes, we'll do that now.

21 MR. HOLMES: Andrew Holmes for defendant
22 Fortinet, Inc.

23 MS. KOPEIKIN: Are you representing the witness
24 for this deposition?

25 MR. HOLMES: Yes.

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1 MS. KOPEIKIN: And to your left.

2 MR. HOLMES: To my left is Todd Nelson who is the
3 VP of legal at Fortinet, the defendant in this case.

4 MS. KOPEIKIN: Jill Kopeikin, GCA Law Partners,
5 representing Network Protection Services, the plaintiff.

6 To my right is Christopher Strate.

7 I will be taking the deposition this morning.

8 EXAMINATION

9 BY MS. KOPEIKIN

10 Q. Mr. Crawford, who is your current employer?

11 A. It's Fortinet.

12 Q. Fortinet?

13 A. Yes.

14 Q. I'm going to ask you to speak up just a little
15 bit. You're soft-spoken and the court reporter is making
16 a written transcript of your testimony so she -- It's
17 very important that she hears you.

18 A. Yes.

19 Q. Do you understand then that your testimony today
20 is under penalty of perjury?

21 A. Yes.

22 Q. Okay. Are you a US citizen?

23 A. No.

24 Q. Have you ever sat for deposition before?

25 A. Yes.

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1 Q. When?

2 A. Time was about a year ago.

3 Q. In what capacity?

4 A. I was at that time -- it was as an expert
5 witness.

6 Q. In what kind of case?

7 A. It was a patent infringement case.

8 Q. And the parties were?

9 A. Fortinet and Trend Micro.

10 Q. Trend?

11 A. Trend Micro.

12 Q. You testified on behalf of Fortinet?

13 A. Yes.

14 Q. And on what subject or subjects?

15 A. It was regarding our firewall technologies.

16 Q. What firewall technologies in particular?

17 A. In particular it's -- we talk about our antivirus
18 capabilities, various proxy technologies, don't remember
19 all of it since it's a while ago.

20 Q. When you say proxy technologies what are you
21 referring to?

22 A. Some capabilities of our devices.

23 Q. What capability?

24 A. For doing filtering of our data.

25 Q. What do you understand proxy technologies to
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1 mean?

2 A. Define it for me please.

3 Q. Proxy technologies?

4 A. Proxy technologies? In -- in terms of a -- like
5 a computer-based proxy.

6 Q. Whatever you mean, whatever you meant when you
7 said what you were testifying about proxy technologies?

8 A. Okay. Proxy technologies in regards to our
9 devices is -- it's related to a program that acts as an
10 intermediate between two points.

11 Q. What kinds of points?

12 A. One point would be, say, a client and the point
13 could be a server.

14 Q. What do you mean by client?

15 A. Client can be a computer, it could be a router.

16 Q. Anything else?

17 A. I can't think of more right now.

18 Q. What proxy technologies does Fortinet offer at
19 this time?

20 A. For which products?

21 Q. Well, overall how many proxy technologies does
22 Fortinet offer?

23 A. We have -- we have some for our FortiGate
24 products. There's maybe some in some of our other
25 products.

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4 A. [REDACTED].

6 A. [REDACTED]

12 Q. How long has Fortinet offered [REDACTED]?

13 A. Several years I believe.

14 Q. Two, three, can you estimate?

15 A. I could only guess, probably maybe four years.

16 Q. Okay. This is a good time for me to talk to you
17 about some of the deposition protocols. We don't want
18 you to guess. If you have a basis for estimating, I'm
19 entitled to your best estimate, but nobody here wants you
20 to guess. So, if you have a basis for saying, you know,
21 I've been here for five years, perhaps it was two, and
22 you're estimating, that's fine. But let us know if you
23 truly don't know the answer. Let us know that too so
24 we're not getting guesses.

25 A. I don't know exactly where it was on the price
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1 list, no.

2 Q. Okay. Do you know the difference between an
3 estimate and a guess or your best recollection?

4 A. It -- if I know that -- the date or if I know the
5 approximate time range I would tell you, that would be an
6 estimate.

7 Q. All right. And that instruction goes for
8 anything. If I ask you any question you would really be
9 guessing to answer, please don't. If you have a basis
10 for answering, and it's an estimate, let us know and give
11 your answer, okay?

12 A. Okay.

13 Q. Do you have any questions about the deposition
14 process?

15 A. No.

16 Q. How many times have you given deposition
17 testimony?

18 A. Three times.

19 Q. Okay. The most recent was the depositions that
20 you were talking about in the case where you represented
21 Fortinet against Trend?

22 A. That was the most recent, yes.

23 Q. Where was that case venued?

24 A. I don't remember the building, it was in San
25 Francisco.

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1 Q. Was the case in a court in San Francisco?

2 A. I don't know.

3 Q. Who were the counsel that represented Fortinet?

4 A. Internal counsel is Todd. External is Marc
5 Bernstein I think is the only -- he was the lead I
6 think.

7 Q. What firm?

8 A. I don't know his firm.

9 Q. And the patent dispute, was there one patent,
10 more than one patent? I'm talking about the Trend case.

11 A. I believe it was just one patent.

12 Q. And it was related to firewall technology; is
13 that correct?

14 A. Yes.

15 Q. Did you ever give testimony at trial for that
16 case?

17 A. For that case, no.

18 Q. Did you give -- you gave a deposition, correct?

19 A. Yes.

20 Q. Did you do an expert report?

21 A. Yes.

22 Q. How long ago was that, the expert report?

23 A. That's about the same time.

24 Q. About a year ago?

25 A. About a year ago, yes.
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1 Q. Is that case still pending?

2 A. I do not believe so, no.

3 Q. So was Fortinet the plaintiff or defendant? So
4 did Fortinet bring the case against somebody else, or did
5 somebody bring it against Fortinet?

6 A. I think Fortinet was the defendant.

7 Q. What was the outcome of that case?

8 A. I don't know.

9 Q. Was it settled?

10 A. I'm not sure. You have to --

11 Q. Did it go to trial?

12 A. It did not go to trial as far as I know.

13 Q. Do you know if there's a licensing agreement now
14 between Fortinet and Trend?

15 A. I don't know.

16 Q. The subject of the patent dispute, did it concern
17 any Fortinet technology, or was there an accused Fortinet
18 technology if you know?

19 A. Yes.

20 Q. What technology was that?

■ ■ [REDACTED]

■ [REDACTED] [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

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[REDACTED]

19 A. I'm trying to think of our other... that's all I
20 can recall at the moment.

21 Q. Are you familiar with the term proxy?

22 A. I've heard the term, yes.

23 Q. Okay. And do you use proxy technologies?

24 Correct?

25 A. Yes.

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1 Q. Have you heard of the term transparent proxy
2 technology or technologies?

3 A. I've heard the term, yes.

4 Q. What does transparent proxy mean?

5 A. A transparent proxy is a -- it's a -- usually a
6 program or -- yes, it's usually a program that can sit
7 between two points and two points don't know that there
8 is a proxy between them. It's a set up for talking to
9 each other.

10 Q. Does Fortinet offer any technologies or services
11 that includes a transparent proxy of the manner you just
12 described?

```

graph TD
    Root["C:\"] --> P1["Program Files"]
    Root --> P2["Documents and Settings"]
    Root --> P3["Program Files and Settings"]
    P1 --> P1_1["Internet Explorer"]
    P1 --> P1_2["Microsoft Office"]
    P2 --> P2_1["Administrator"]
    P2 --> P2_2["User"]
    P3 --> P3_1["Internet Explorer"]
    P3 --> P3_2["Microsoft Office"]
  
```

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[illegible]

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1 A. Yes.

2 Q. What was the time most -- closest in time to the
3 Trend case? So I guess that would be the second time you
4 were deposed.

5 A. The second time I was deposed was, well, probably
6 the -- year and a half ago. Also for the same case as a
7 fact witness.

8 Q. Concerning what subject or subjects?

9 A. Same as we discussed before.

10 Q. Firewall technology?

11 A. Firewall technology.

12 Q. And in what capacity were you a fact witness? If
13 that wasn't -- if that question isn't clear, and I'm not
14 sure that question was so clear, you can ask me for
15 clarification. Okay?

16 A. Okay. I'm not quite sure what you mean.

17 Q. Yes. What in your job, if anything, makes you
18 knowledgeable about the firewall products offered by
19 Fortinet?

20 A. I've worked with them for many years.

21 Q. Okay. Let's back up and talk a little bit about
22 your job, okay?

23 A. Okay.

24 Q. Backing a little bit further than that,
25 Mr. Crawford, what is your post-high school educational
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1 background?

2 A. I have my master's degree in Computer Science.

3 Q. From where?

4 A. University of Manitoba.

5 Q. Are you a Canadian citizen?

6 A. Yes.

7 Q. Have you been asked to come to trial in this case
8 and testify?

9 A. Yes.

10 Q. About what?

■■■■■ ■■■■■ ■■■■■

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Age Group	Male	Female	Other
18-24	45%	55%	0%
25-34	40%	60%	0%
35-44	35%	65%	0%
45-54	30%	70%	0%
55-64	25%	75%	0%

10 A. Okay.

13 A. The year 2000.

17 A. Well, I got my undergraduate degree from the same
18 university.

19 Q. What discipline?

20 A. Major in Science.

21 Q. Any particular area of science?

22 A. Computer science.

23 Q. When was that that you were awarded your
24 undergraduate degree?

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1 Q. Do you have any other educational background,
2 college or later?

3 A. Just the university.

4 Q. Pardon me?

5 A. Just the university.

6 Q. The things you've already talked about?

7 A. Yes.

8 Q. Okay. And can you please describe your
9 employment history, again from the same time period, from
10 college going forward.

11 A. How far back?

12 Q. Starting with college. If you worked at a Jack
13 in the Box or a something that's totally unrelated to
14 your work at Fortinet, you don't need to tell me, but
15 anything in the computer science area, I'd appreciate
16 that.

17 A. I worked for a ticket publishing company for a
18 while.

19 Q. What company was that?

20 A. It's called Pollard Banknote.

21 Q. Pod Hart?

22 A. Pollard, Po-l-l-a-r-d.

23 Q. And what was your job for Pollard Banknote?

24 A. I was programming the game generation programs.

25 Q. So when you say ticket publishing, you mean like
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1 lottery tickets or things like that?

2 A. Yes.

3 Q. How long were you with Pollard Banknote?

4 A. About two years.

5 Q. Was your job the same, the entire time generally?

6 A. I think it changed at one point to a different
7 section, but I can't remember.

8 Q. And what section?

9 A. Well, there was another section for checking the
10 results of the games.

11 Q. And in your work at Pollard Banknote did you have
12 any responsibilities that related to firewalls, servers,
13 or antivirus?

14 A. No.

15 Q. What year did you separate from Pollard
16 Banknote's employment?

17 A. The year 2000.

18 Q. What was your next job?

19 A. I came to work at Fortinet.

20 Q. You have been at Fortinet since 2000?

21 A. Yes.

22 Q. What was your first job there?

23 A. I was a programmer.

24 Q. Programmer?

25 A. Yes.

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1 A. He was CTO.

2 Q. Is Michael Xie still the CTO?

3 A. Yes.

4 Q. To the best of your knowledge, has Michael Xie
5 been the CTO the entire time that you've been employed
6 with Fortinet?

7 A. Yes.

8 Q. How many employees were at Fortinet in 2000, if
9 you know?

10 A. In 2000?

11 Q. Yes. When you joined.

12 A. Just an estimate, but probably 15.

13 Q. Okay.

14 A. Maybe 20.

15 Q. How many are there now?

16 A. How many are there now?

17 Q. Yes.

18 A. You mean the entire company?

19 Q. Yes.

20 A. Or -- okay. The entire company. I think we --
21 around 1500 or so. Maybe more.

22 Q. That's fine. Estimate was all I was looking for.

23 And when you said 15 or 20 employees when you
24 joined in 2000, was that total, or was that a particular
25 group that you were referring to?

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1 A. That was probably total I think.

2 Q. And the group you were in, I think you said it
3 was just -- well, was there a name for it? Or it's small
4 enough there really wasn't --

5 A. Programmers.

6 Q. Okay. And how long were you a programmer in this
7 VoIP technology in Fortinet?

8 A. I think I did that for about a year.

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

12 Q. That's another thing I want to explain to you
13 about the deposition process. Yeses or nos or inaudible
14 kinds of testimony --

15 A. Yes.

16 Q. Because then the court reporter, again -- when
17 you say uh-huh -- or I do anyway -- she can only take
18 that down, and we may miss what the true meaning is.

19 A. Okay.

20 Q. All right. So you said there wasn't a name for
21 the VoIP technology, is that correct?

22 A. Not that I can recall, no.

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

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[REDACTED]

19 Q. Can you list them, please, starting with the
20 earliest one.

21 A. Oh, I have no idea. It's a very long list.

22 Q. Well, tell me the main ones. Whether -- you
23 know, there might be a particular version, but I -- I
24 would expect there would be some main products.

25 Can you just list those?
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1 A. Certain main products?

2 Q. Mm-hmm.

3 A. Are you talking about at that time or --

4 Q. From 2000 to the present.

5 A. From 2000 to the present.

6 Q. During your employment.

7 A. I can only remember a few, [REDACTED]

8 [REDACTED]

9 Q. Go ahead and list which -- the ones you remember.

10 A. I remember a FortiGate 300. A FortiGate 50. A
11 FortiGate 3000. FortiGate 5000. Oh, that's actually a
12 chassis though.

13 Q. What do you mean?

14 A. It's a -- for a larger hardware device. You put
15 cards into it.

16 Q. Any others that you can remember?

17 A. There's a FortiGate 500. I can't remember them
18 all.

19 Q. Okay. And the numbers in the FortiGate series,
20 do those refer to a number of users or in old school
21 terms would have been seats or something else?

22 A. No.

23 Q. What -- what do the numbers mean, represent?

24 A. I think they are -- I don't know exactly. They
25 are kind of an arbitrary number chosen by the marketing.

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1 Q. What do you mean?

2 A. I don't name the products so I don't know the
3 exact name, what the numbers mean.

4 Q. Okay. We'll come back to the FortiGate products,
5 but we're turning back to your work history.

[REDACTED]

25 Q. Because -- let me restate that to make sure I
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1 understood.

2 A. Okay.

3 Q. FortiGate is a hardware device with the firewall
4 technology, correct?

5 A. Yes.

■ ■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED] [REDACTED]
■ ■ [REDACTED] [REDACTED]
■ [REDACTED] [REDACTED]
■ [REDACTED]
■ [REDACTED]

14 Q. I may have lost you there. And I'm not a
15 technical person so I'm going to ask you to describe
16 things from time to time that probably seem very
17 simplistic to you. Don't worry about offending me or
18 speaking down to me because I wouldn't in the least bit
19 be offended if you talk in simple terms.

■ [REDACTED]
■ [REDACTED]
■ ■ [REDACTED]
■ ■ [REDACTED]
■ [REDACTED]
■ ■ [REDACTED]

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1 Q. Which ones?

2 A. I think they're -- I recall one now is called the
3 FortiGateVoice. [REDACTED]

■ [REDACTED]

■ [REDACTED]

6 Q. And -- I'm sorry. Go ahead.

7 A. Sorry.

8 Q. If I ever cut you off, I need you to finish your
9 sentence. I don't mean to --

10 A. Yes, I'm finished.

11 Q. Going back to your employment for a minute.

12 After 2001, what was your next position within
13 Fortinet?

14 A. In Fortinet I became a team leader, oh, sorry.
15 Next position I began working on our [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

AEO

[illegible]

AEO

[illegible]

[illegible]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[illegible]

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■ [REDACTED]

■ [REDACTED]

3 A. Not that I know of.

4 Q. And in 2001 when you were working on the

■ [REDACTED], what was your title?

6 A. I believe I was still a Programmer.

7 Q. To whom did you report?

8 A. To Michael Xie.

9 Q. How many people were in your group?

10 A. Just me.

11 (Mr. Nelson exited deposition room)

12 Q. MS. KOPEIKIN: Okay. How long did you work as a
13 programmer on the [REDACTED]?

14 A. I believe it was six or seven years. Maybe a bit
15 longer.

16 Q. And did your title change during that time?

17 A. I believe so, yes.

18 Q. From what to what, Programmer to something
19 else?

20 A. I was a Programmer. Then the next step was a
21 Team Leader.

22 Q. And after that?

23 A. I became a project manager. So do you want up to
24 the present, or just while I was --

25 Q. Sure. Why don't you go up to the present.
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1 A. Okay. Up to the present. Yes.

2 So I became project manager, then I became
3 director. I was director in device research. And I
4 changed to director of software management. And I became
5 director of product management, and now I'm director -- a
6 senior director of project -- product management.

7 Q. When did you -- were each of those steps a
8 promotion in your mind?

9 A. Some of them were lateral.

10 Q. Okay. Lateral would have been -- well --

11 A. Same -- same level, but just different title.

12 Q. So, for example, from director of antivirus
13 research to director of software management. That was a
14 lateral?

15 A. Yes.

16 Q. So, when you were promoted from programmer to
17 team leader, when was that?

18 A. Probably 2002 time frame, I think.

19 Q. And were you still in the antivirus -- working on
20 the antivirus?

21 A. Yes.

22 Q. Did you have people working under you at that
23 time?

24 A. I think so, yes.

25 Q. How many?

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1 A. I think it ranged up to maybe four or five.

2 Q. At all times while working at Fortinet has
3 Michael Xie been your boss to whom you report?

4 A. At all times?

5 Q. Yes.

6 A. No.

7 Q. When have you reported to someone else?

8 A. At one point I reported to -- at one point -- I
9 think that was when I became a director of software --
10 or, sorry, director of antivirus research.

11 Q. And who did you report to at that time?

12 A. I reported to the VP of Engineering.

13 Q. Who was that?

14 A. Hongwei Li.

15 Q. Hongwei Li?

16 A. Yes.

17 Q. Is Mr. Li still employed by Fortinet?

18 A. Yes.

19 Q. In what capacity?

20 A. He's VP of Engineering.

21 Q. How long were you a team leader in the antivirus
22 group?

23 A. Team Leader? I guess maybe a year I guess.

24 (Mr. Nelson re-entered the deposition room).

25 Q. MS. KOPEIKIN: Was there any other -- that
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1 antivirus group, did it have any other scope of duties or
2 was it pretty much dedicated to antivirus protection?

3 A. No, our main focus at that time was on antivirus.
4 Yes.

5 Q. You next became project manager, correct?

6 A. After the Team Lead?

7 Q. Yes.

8 A. I became project manager, yes.

9 Q. For what project?

10 A. I became involved in some of the integration
11 projects into FortiGates.

12 Q. What does that mean?

13 [REDACTED]
14 [REDACTED]

15 Q. Anything else?

16 A. That one lasted kind of a longer span so I worked
17 on some other products too, our [REDACTED].

18 Q. Which products?

19 A. Our -- our [REDACTED].

20 Q. What does that mean?

21 A. [REDACTED]
22 [REDACTED].

23 Q. Does that have a name?

24 A. It's called the FortiManager.

25 Q. Has it always been called FortiManager, or has it
 AEO

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1 ever had another name?

2 A. I don't remember if it had another name before
3 that or not. It might have been just FortiManager but --

4 Q. During what period of time were you the project
5 manager for integration projects?

6 A. During what time?

7 Q. You started out, in what, in around 2003,
8 correct?

9 A. Yes. I think it was around 2003.

10 Q. Until?

11 A. And that lasted maybe a year or two.

12 Q. [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

AEO

1 remember. It's a long time ago.

[illegible]

AEO

[illegible]

_____, _____, _____

AE0

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1 (Record read)

■ [REDACTED] ■ [REDACTED]

■ [REDACTED]

4 (Discussions off the record)

■ [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED] [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED] [REDACTED] [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

AEO

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[illegible]

AEO

[illegible]

AEO

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED]

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[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

AEO

- [REDACTED]
- [REDACTED]
- [REDACTED] [REDACTED]
- [REDACTED] [REDACTED] [REDACTED]
- [REDACTED]
- [REDACTED] [REDACTED]
- [REDACTED]
- [REDACTED] [REDACTED]
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- [REDACTED] [REDACTED]
- [REDACTED]
- [REDACTED] [REDACTED]
- [REDACTED]

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■ ■ [REDACTED]
■ ■ [REDACTED]
■ ■ [REDACTED] [REDACTED]
■ [REDACTED] [REDACTED]
■ [REDACTED]
■ ■ [REDACTED] [REDACTED]
■ [REDACTED]

8 (Interruption in the proceedings)

9 MR. HOLMES: It will be over in a second.

10 MS. KOPEIKIN: I know, I used to have an office
11 down on Embarcadero. That means it's lunch time.

■ ■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ ■ [REDACTED]
■ ■ [REDACTED]
■ [REDACTED] [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ ■ [REDACTED] [REDACTED]
■ ■ [REDACTED]
■ ■ [REDACTED]
■ ■ [REDACTED]

AEO

[illegible]

AEO

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■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

6 A. I can give you as much as I can think of.

7 Q. That's all I'm asking.

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

AEO

[illegible]

AEO

The diagram consists of 14 horizontal black bars of different lengths and vertical positions, arranged in a column. The bars are as follows (from top to bottom):

- Bar 1: Medium length, top-left position.
- Bar 2: Short length, top-left position.
- Bar 3: Short length, top-left position.
- Bar 4: Long length, top-left position.
- Bar 5: Medium length, top-left position.
- Bar 6: Long length, top-left position.
- Bar 7: Medium length, top-left position.
- Bar 8: Short length, top-left position.
- Bar 9: Long length, top-left position.
- Bar 10: Long length, top-left position.
- Bar 11: Long length, top-left position.
- Bar 12: Medium length, top-left position.
- Bar 13: Short length, top-left position.
- Bar 14: Short length, top-left position.

25 Q. Publicly?

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1 A. I believe so, yes.

2 Q. What is it called?

3 A. I don't know the exact name.

4 Q. All right. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

AEO

[illegible]

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■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED] [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

9 Q. I'm going to ask you -- I know you're
10 soft-spoken. She's sitting right next to you.

11 A. I'll try to get a little closer.

12 Q. Okay.

13 MR. HOLMES: I just want to be able to hear too.

14 MS. KOPEIKIN: All right.

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

21 Q. How?

■ ■ [REDACTED]

23 Q. Such as?

■ ■ [REDACTED]

25 Q. Anything else?

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■ ■ [REDACTED]

■ [REDACTED]

3 Q. Anything else?

■ ■ [REDACTED]

5 Q. Anything else?

6 A. There may have been other things. I can't
7 remember them all, so.

■ ■ [REDACTED] [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

18 (Mr. Nelson exited the deposition room)

19 Q. MS. KOPEIKIN: Do you know when?

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

AEO

[illegible]

AEO

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It includes a detailed description of the experimental design and the procedures followed during the study.

3. The third part of the document presents the results of the study, which show a significant correlation between the variables under investigation. The findings are supported by statistical analysis and graphical representations.

4. The fourth part of the document discusses the implications of the study and provides recommendations for future research. It highlights the need for further exploration in this area and suggests potential areas for investigation.

5. The fifth part of the document concludes the study and summarizes the key findings. It reiterates the importance of the research and the need for continued efforts in this field.

6. The sixth part of the document provides a detailed description of the methodology used in the study. It includes a list of the equipment and materials used, as well as a description of the procedures followed.

7. The seventh part of the document discusses the limitations of the study and the potential sources of error. It acknowledges the constraints of the research and provides suggestions for how these limitations might be addressed in future studies.

8. The eighth part of the document provides a detailed description of the data analysis techniques used in the study. It includes a list of the statistical tests performed and a description of the results obtained.

9. The ninth part of the document discusses the ethical considerations of the study and the steps taken to ensure the protection of the participants. It highlights the importance of ethical research and the need for strict adherence to ethical guidelines.

10. The tenth part of the document provides a detailed description of the study's contribution to the field. It discusses the new insights gained from the research and the potential impact of the findings on the field.

AE0

[illegible]

AEO

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Category	Percentage
1.	100%
2.	90%
3.	75%
4.	90%
5.	85%
6.	10%
7.	85%
8.	50%
9.	90%
10.	20%
11.	90%
12.	10%
13.	90%
14.	50%
15.	90%
16.	50%
17.	90%
18.	50%
19.	90%
20.	90%
21.	10%
22.	50%
23.	50%
24.	90%

AEO

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1 A. I don't know.

2 Q. Who would know?

■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

7 Q. What steps did you take to collect information?

8 MR. HOLMES: And to the extent she's asking for
9 any conversations between you and any counselors or
10 outside lawyers, that information is privileged but feel
11 free to answer otherwise.

12 THE WITNESS: I'm sorry. Can you repeat --
13 repeat your question?

14 MS. KOPEIKIN: Could you read it back please
15 (Record read, What steps did you take
16 to collect information)

■ ■ [REDACTED] [REDACTED]

18 A. ■ [REDACTED]

■ [REDACTED]

20 Q. Anything else?

21 A. [REDACTED] [REDACTED]

■ [REDACTED]

23 Q. Anything else?

24 A. That's all I can recall.

25 Q. What steps did you take to prepare for this
AEO

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1 deposition?

2 A. I had a meeting with -- with the lawyers for
3 several hours.

4 Q. How many hours?

5 A. Roughly, six or seven.

6 Q. All in one sitting?

7 A. Oh, there was also several conference calls as
8 well so.

9 Q. How many?

10 A. Let's put it at maybe 10 hours I could say.

11 Q. Did you take any other steps to prepare to
12 testify at this deposition?

13 [REDACTED]

14 Q. Did you take any other steps to prepare for this
15 deposition?

16 A. No.

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

AEO

[illegible]

AEO

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■ ■ [REDACTED]
■ ■ [REDACTED]
■ ■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ ■ [REDACTED] [REDACTED] [REDACTED]
■ [REDACTED]
■ ■ [REDACTED]
■ ■ [REDACTED]
■ ■ [REDACTED] [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ ■ [REDACTED]
■ ■ [REDACTED]
■ ■ [REDACTED] [REDACTED]
■ [REDACTED]
■ [REDACTED]

13 A. Okay.

■ ■ [REDACTED]
■ [REDACTED]
■ ■ [REDACTED]

17 Q. Mm-hmm.

■ ■ [REDACTED]
■ [REDACTED] [REDACTED]
■ [REDACTED] [REDACTED]
■ ■ [REDACTED]
■ [REDACTED] [REDACTED]
■ [REDACTED]
■ ■ [REDACTED]
■ ■ [REDACTED] [REDACTED]

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■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

4 A. What do you mean --

■ [REDACTED]

6 A. Yes.

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

18 Q. Okay.

19 A. But.

20 Q. I'm doing pretty well if I only asked you one

21 question twice, and I'll do my best not to. But --

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

AEO

11 Q. You identified something called FortiCarrier.

13 A. That was a product for ISPs.

15 A. I don't know. If it's still being sold.

18 A. It's several -- several years ago, but I don't
19 remember the exact time, no.

21 A. It was six -- six years ago maybe.

23 A. FortiWiFi, I don't know exactly when. Probably
24 around the same time. Six or seven years ago maybe.

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1 FortiWiFi process -- let me just start over. [REDACTED]

[REDACTED]

[REDACTED]

4 A. Sorry? The --

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

AEO

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods used to collect and analyze data. This includes both qualitative and quantitative approaches, as well as the use of statistical software and tools.

3. The third part of the document focuses on the results of the study. It presents a detailed analysis of the data collected, highlighting key findings and trends. This section also includes a discussion of the limitations of the study and the implications of the results.

4. The fourth part of the document provides a conclusion and recommendations for future research. It summarizes the main points of the study and offers suggestions for how the findings can be applied in practice.

5. The fifth part of the document is a bibliography, listing all the sources used in the study. This includes books, articles, and other relevant literature.

6. The sixth part of the document is an appendix, containing additional information that supports the main text. This includes raw data, detailed calculations, and other supplementary materials.

7. The seventh part of the document is a glossary, defining key terms and concepts used throughout the study. This helps to ensure that all readers have a clear understanding of the terminology.

8. The eighth part of the document is a list of figures and tables, providing a visual representation of the data. This includes charts, graphs, and tables of data.

9. The ninth part of the document is a list of references, providing a comprehensive overview of the literature related to the study. This helps to contextualize the research and shows its contribution to the field.

10. The tenth part of the document is a list of acknowledgments, thanking those who provided support and assistance during the study. This includes funding agencies, advisors, and other individuals who contributed to the research.

AEO

[illegible]

[REDACTED] [REDACTED] [REDACTED]
 [REDACTED] [REDACTED] [REDACTED]

AEO

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3 Q. MS. KOPEIKIN: Well, first of all, do you feel
4 like you can answer that question?

6 Q. So you're refusing to answer based on counsel's
7 instruction; is that correct?

9 Q. I just -- and I'm not challenging you.

13 MR. HOLMES: Yes.

15 A. Sorry. May I take a break to go to the washroom?

17 THE WITNESS: Okay. Thank you.

19 (Mr. Nelson not present)

AEO

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■ ■ [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

14 (Mr. Nelson entered deposition room)

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED] [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

AEO

Row	Bar Length (approx. % of total width)
1	85
2	35
3	45
4	95
5	55
6	90
7	98
8	95
9	98
10	75
11	35
12	70
13	98
14	65
15	98
16	70
17	98
18	15

Response	Percentage
Yes, it's important to take action to reduce greenhouse gas emissions	90%
No, it's not important to take action to reduce greenhouse gas emissions	10%
Yes, it's important to take action to reduce greenhouse gas emissions	65%
No, it's not important to take action to reduce greenhouse gas emissions	35%
Yes, it's important to take action to reduce greenhouse gas emissions	75%
No, it's not important to take action to reduce greenhouse gas emissions	25%
Yes, it's important to take action to reduce greenhouse gas emissions	85%
No, it's not important to take action to reduce greenhouse gas emissions	15%

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[REDACTED]

16 A. Yes.

[REDACTED]

AEO

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[REDACTED]

21 MS. KOPEIKIN: Okay. [REDACTED]

[REDACTED]

[REDACTED]

24 I'd like to ask you questions about what you

25 looked at to prepare for the deposition so that's why I'm

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1 asking. So I'll ask that you get that, and I know you're
2 now taking a position, but my request stands.

3 MR. HOLMES: Sure. [REDACTED]
[REDACTED]
[REDACTED]

6 MS. KOPEIKIN: Okay. Your position is clear, and
7 I just want mine not to be on the record too. So we're
8 fine. [REDACTED]
[REDACTED]

10 Q. You said that you met with lawyers for six to
11 seven hours in preparation for your deposition. Who were
12 you referring to?

13 A. Mr. -- Drew and Todd.

14 Q. Anyone else?

15 A. And Jay.

16 Q. Neukom?

17 A. Yes.

18 Q. And by Todd, you mean Mr. Roberts who's here
19 today?

20 MR. HOLMES: Mr. Nelson.

21 A. THE WITNESS: Mr. Nelson.

22 MS. KOPEIKIN: Oh, Nelson. I'm sorry, I
23 apologize.

24 Q. Anyone else?

25 A. No. Not that I recall.

AEO

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1 Q. Okay. Was there anybody -- were all you,
2 Mr. Nelson, Mr. Holmes, and Mr. Neukom all physically
3 present for this meeting?

4 A. That particular meeting, yes.

5 Q. And when was that?

6 A. Yesterday.

7 Q. Did you review documents?

8 A. Yes.

9 Q. What documents?

10 A. I believe that's privileged.

11 Q. I don't believe it is. Can you answer the
12 question?

13 MR. HOLMES: You can answer the question.

14 A. THE WITNESS: Okay. I looked at -- I looked at a
15 document something 30 (B) -- I don't know the exact name
16 of it. But.

17 Q. MS. KOPEIKIN: Deposition notice maybe?

18 A. That could be it.

19 Q. Okay. Anything else?

20 A. I looked at document that had some claims stuff
21 on it.

22 Q. Anything else?

■ ■ [REDACTED] [REDACTED]
■ [REDACTED] [REDACTED]
■ ■ [REDACTED]

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[illegible]

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1 Q. Who was it with?

2 A. That was with Todd Nelson.

3 Q. Anyone else?

4 A. No.

5 Q. No?

6 A. No.

■ ■ [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED] [REDACTED]

■ ■ [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED]

■ ■ [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

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1 Q. Okay. When was the second call you had in
2 preparation, or that you used to prepare yourself for
3 this deposition?

4 A. It was probably two, three months ago.

5 Q. And who was this call with?

6 A. It was with outside counsel and Todd Nelson.

7 Q. I'm sorry. Who was --

8 A. Outside counsel.

9 Q. Okay. And who were you referring to as outside
10 counsel?

11 A. I believe it was Jay, and I believe Drew may have
12 been on the call too. Todd Nelson. I can't remember
13 what the other name...

14 Q. Is it somebody at Quinn Emanuel's office if you
15 know?

16 A. I don't know for sure.

17 Q. Was it somebody at Fortinet?

18 A. No.

19 MS. KOPEIKIN: Drew?

20 Well, it wasn't a privileged communication. If
21 there was another person there who wasn't a lawyer, we're
22 entitled to ask him about it.

23 MR. HOLMES: Well, you can ask him about it to
24 the extent he remembers it.

25 MS. KOPEIKIN: Okay.
AEO

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1 Q. What did you discuss?

2 MR. HOLMES: I'm not going to let him answer
3 that. He just told you there were attorneys on the
4 line.

5 MS. KOPEIKIN: Well, it doesn't necessarily mean
6 it was privileged.

7 MR. HOLMES: Well, I'm instructing him not to
8 answer.

9 Q. MS. KOPEIKIN: There was another person who
10 participated in the call, correct?

11 A. There was, yes.

12 Q. Do you know who it was?

13 A. I think they were also an outside counsel, but I
14 don't know their name.

15 Q. Man or woman?

16 A. I believe it was a man.

17 Q. You don't know if it was with Quinn Emanuel's law
18 firm?

19 A. I don't know for sure.

20 Q. Why do you say that you think it was a lawyer?

21 A. I don't know for sure.

22 Q. Do you have any notes or diary that would reflect
23 who was on the call?

24 A. No.

25 Q. How long was the call?
AEO

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1 A. Perhaps an hour.

2 Q. When did that call take place?

3 A. I said before it was about three months ago.

4 Q. Oh, sorry. And without describing the content of
5 the conversation, generally were you discussing this
6 lawsuit?

7 A. Yes.

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ ■ ■

■ ■ [REDACTED]

■ ■ ■

14 Q. Will you tell me what you talked about?

15 MR. HOLMES: I'm going to instruct you not to
16 answer that.

17 MS. KOPEIKIN: Well, if he wasn't given advice,
18 and he didn't ask for advice, how is that a privileged
19 communication?

20 MR. HOLMES: It's -- it's either privileged or
21 it's protected under Attorney Work Product. He's doing
22 work under our direction for this litigation. He just
23 told you that. You're treading on pretty close to
24 attorney/client communications on a series of questions
25 now. We've established there were at least two other
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1 Quinn Emanuel lawyers on the call. It's about the
2 litigation. We established in-house counsel for Fortinet
3 is there so those privileged communications are
4 protected.

5 MS. KOPEIKIN: Not if there's a third party
6 there.

7 MR. HOLMES: He's testified he didn't know who it
8 is.

9 MS. KOPEIKIN: Right.

10 MR. HOLMES: And he's testified it was didn't
11 know who it is.

12 MS. KOPEIKIN: I'm sorry. Were you finished.

13 MR. HOLMES: I'm done.

14 A. MS. KOPEIKIN: Okay. He's didn't ask for advice,
15 he didn't get advice. It's pretty unclear whether this
16 was a privileged communication. So I understand that
17 you're instructing him not to answer, is that correct?

18 MR. HOLMES: Yes.

19 MS. KOPEIKIN: I will ask you to circle back and
20 determine whether there were nonlawyers or people who
21 were outside the privilege during that call. If so, I am
22 entitled to ask him. If not, then likely not.

23 But I am entitled to ask the questions about when
24 the conversation happened. If it's on a privileged log,
25 I'm not entitled ask those questions. And that's all I'm
AEO

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1 asking.

2 MR. HOLMES: I think that's fair.

3 MS. KOPEIKIN: I have not asked you to disclose
4 any privileged communications, and any suggestion by
5 counsel that I have is way off base because I don't want
6 you to disclose privileged or work product. But I am
7 entitled to ask you those questions. Okay?

8 For now, I understand that you're following
9 counsel's direction, and I will follow-up with him after
10 lunch. Okay.

11 Q. You had a final, third and final call in
12 preparation for this deposition.

13 A. Mm-hmm.

14 Q. With whom did you have such a call?

15 A. I had a call with I think Drew was on the line.
16 And -- another -- the other person. I can't remember who
17 it was.

18 Q. Another lawyer.

19 A. Yes.

20 Q. Do you know it was a lawyer?

21 A. Yes. Will. Will something.

22 Q. Okay. Will Cooper?

23 A. Yes, Will Cooper.

24 Q. The fact that he's not a lawyer --

25 MR. HOLMES: Yes. No, you can ask him. Feel
AEO

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1 free.

2 Q. MS. KOPEIKIN: Was it Will Cooper?

3 A. It was Will Cooper?

4 Q. When was this call?

5 A. That was about a month ago.

6 Q. How long was it?

7 A. Roughly an hour.

8 Q. And did you discuss in general this case?

9 A. Yes.

10 Q. Did anyone other than you, Drew Holmes, and Will
11 Cooper participate in the call?

12 A. There is one other, but I can't remember his
13 name.

14 Q. Do you know if it was a Quinn Emanuel lawyer?

15 A. No.

16 Q. Do you know if it was anyone associated with
17 Quinn, Emanuel?

18 A. I don't know.

19 Q. Do you know if he was a lawyer?

20 A. I don't know.

21 MS. KOPEIKIN: Okay. Same question exists,
22 Mr. Holmes, if you were a participant in these calls you
23 can readily identify whether they were privileged, people
24 who were covered by privilege as in the nature of a
25 privileged log. I'll ask you to look into that. I would
AEO

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1 hate to come back on something that is clearly
2 privileged. But, if it's clearly not, then we're
3 entitled to know. Okay?

4 MR. HOLMES: Okay.

5 MS. KOPEIKIN: All right. I'm going to hand you
6 now, Mr. Crawford, what's been marked as Exhibit 143.
7 For the record it's entitled Notice of First Rule 30 (b)
8 (6) Deposition to Defendant Fortinet, Inc.

9 Let me know when you've had a chance just to look
10 at the document. If I ask you specific questions I will
11 direct you to particular portions.

12 (Plaintiff's Exhibit 143 marked for identification)

13 MR. HOLMES: Do you have a copy of that for me?

14 MS. KOPEIKIN: Oh, sorry, certainly.

15 MR. HOLMES: What exhibit is this?

16 MS. KOPEIKIN: 143.

17 Q. If you want to read the entire thing you can, but
18 the only questions I have, number one, whether this looks
19 like the document, the (30) (B) something that you
20 reviewed in preparation for your deposition?

21 A. This appears to be it.

22 Q. All right. I'll ask you to turn to the page with
23 the numeral 3 at the bottom entitled Topics.

24 A. Mm-hmm.

25 Q. Can you look at Topic No. 6?

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1 A. Yes.

2 Q. "Design, Development, Structure, and Operation of
3 the Accused Products, including Related Documents."

4 Do you see that?

5 A. I see that.

6 Q. Is it your understanding that you were being
7 offered as a company representative as the Person Most
8 Knowledgeable concerning those subjects?

9 A. Yes.

10 Q. Okay. Do you feel prepared to do that today?

11 A. Yes.

12 Q. Are there any other subjects listed under these
13 topics that you are here to testify as the Person Most
14 Knowledgeable on behalf of Fortinet today?

15 A. No.

16 Q. What do you understand to be the Accused
17 Products?

18 A. I believe there was a -- a list of products.

19 Q. If it will help, I'll refer to the definitions on
20 page No. 1. There's a definition in paragraph A of the
21 Accused Products.

22 A. Mm-hmm.

23 Q. Do you see that?

24 A. Yes, I see it.

25 Q. There are -- there's a -- in that definition it
AEO

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1 provides that the Accused Products shall mean all
2 products identified in NPS' infringement contentions
3 dated August 31, 2012.

4 Did you review that document to understand what
5 the Accused Products were?

6 A. I don't know which is -- I don't know which
7 document that was.

8 Q. The infringement contentions. Do you know if you
9 reviewed that?

10 A. I don't think I did.

11 Q. A second thing that's identified --

12 MR. HOLMES: Sorry, were you done?

13 A. THE WITNESS: I know I have, but I don't remember
14 the name of the document.

15 Q. MS. KOPEIKIN: Okay. But you reviewed a
16 document?

17 A. I reviewed a document.

18 Q. Can you describe it?

19 A. I had some claims in it. It appeared to have
20 some claims. It had a list of products in the back.

21 Q. Okay. Do you know what the date of that document
22 was?

23 A. I don't recall.

24 Q. Did you review the Fortinet Response to
25 Interrogatory No. 15 that's referenced in the definition
AEO

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1 of Accused Products?

2 A. I don't know if it was part of that same document
3 or not, so.

4 Q. Okay. By family group, can you identify the
5 Accused Products? I don't need you to define your
6 iterations under the family groups, but what are the
7 family groups that you understand follow under the
8 Accused Products?

9 A. Well, from what I recall off the list, there's a
10 FortiGate family group, FortiWiFi, FortiAP. That's all I
11 know.

12 Q. What is FortiAP?

13 A. FortiAP is our access point family.

14 Q. I'm guessing that Drew's getting close to break
15 for lunch with you, but I have sort of a basic
16 question -- I mean I'll keep going...

17 MR. HOLMES: No, we can keep going, that's fine,
18 before lunch.

19 MS. KOPEIKIN: All right.

■ ■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
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17 (Mr. Nelson exited the deposition room).

■ ■ [REDACTED] ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED] ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

25 MR. HOLMES: Counsel, just in terms of a lunch
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1 break, do you have -- is there a decent stopping point in
2 the next --

3 MS. KOPEIKIN: Anytime it's convenient to --

4 Well, I always defer to the court reporter first
5 and witness next.

6 THE WITNESS: I'm okay for lunch now.

7 MS. KOPEIKIN: Let's do that.

8 MR. HOLMES: So before we go off the record I
9 just want to do two things.

10 One is I want to -- we've been talking about a
11 lot of functionality of the Fortinet source code, so I
12 want to designate this transcript as highly confidential,
13 Confidential Attorneys Eyes Only I should say.

14 And, second, counsel I am going to look into the
15 your question for source code that you mentioned earlier.

16 MS. KOPEIKIN: Thank you.

17 MR. HOLMES: And I'll see what I can do to get
18 access to that today.

19 MS. KOPEIKIN: Okay. We're also looking for
20 configuration scripts which probably can be in language
21 not technically considered source code. It may be in
22 scripting language so I don't want to be exclusive of
23 that.

24 And I think I also asked you try to confirm since
25 you were on those calls whether the two calls that he
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1 referred to were -- in fact involved lawyers or had
2 somebody else on that may have a privilege.

3 So I'll ask you to check that as well.

4 MR. HOLMES: I'm going to stand by my previous
5 objections on that, but if I remember anything else we'll
6 let you know.

7 MS. KOPEIKIN: Understood. All right. We'll go
8 off the record now.

9 (Whereupon, a luncheon recess was taken)

10 Q. MS. KOPEIKIN: Okay. Let's go back on the
11 record. Do you understand that you're still under
12 oath?

13 A. Yes.

14 Q. Is there any reason you feel that you can't
15 testify truthfully to the best of your abilities.

16 A. I have no reason.

17 Q. Some people go out for martini lunches, make sure
18 you didn't, did you?

19 A. No.

20 Q. Okay. We're going to go back to some more
21 substantive areas that we touched on before, but, before
22 I do, I want to go back.

23 You've been deposed three times, what was the
24 other time?

25 A. The very first time was in another cases was
AEO

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1 Trend Micro.

2 Q. Trend Micro?

3 A. Yes.

4 Q. And in what capacity did you testify, fact
5 witness or expert?

6 A. Fact witness.

7 Q. Was it regarding any particular product or
8 invention?

9 A. If I recall, it was regarding our FortiGate
10 products.

11 Q. What about them?

12 A. [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

19 Q. Was it a patent infringement lawsuit?

20 A. Yes.

21 Q. And were these depositions offered in separate
22 lawsuits or -- well, the first -- the last two, and most
23 recent two were in the same lawsuit, correct. One as a
24 fact witness, the other one is an expert?

25 A. Yes.

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1 Q. And the second one?

2 A. That was a second suit.

3 Q. And where was that going on?

4 A. I had my deposition in San Francisco.

5 Q. Do you know if that case was -- the court was in
6 San Francisco also?

7 A. It was set in Washington.

8 Q. DC?

9 A. DC.

10 Q. Did you do an expert report in that case?

11 A. No.

12 Q. Did you testify at trial?

13 A. Yes.

14 Q. When?

15 A. I don't remember the exact date.

16 Q. Was Fortinet the plaintiff or defendant?

17 A. Defendant.

18 Q. What was the outcome of the trial?

19 A. I think we did not win, but I'm not sure.

20 Q. Do you think that Fortinet lost --

21 A. I think so, but I can't remember exactly.

22 Q. Do you know when that case -- when the trial
23 was?

24 A. No. I don't remember the exact year.

25 Q. Is it not -- is it going on in any capacity?
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1 A. It was 2003 or '04, sometime around there.

2 Q. So it was completely over, no appeals or
3 something?

4 A. I think it's over, yes.

5 Q. The other cases regarding Trend Micro where you
6 gave a deposition, both as a facts and expert witness, is
7 that case completely over if you know?

8 A. I believe so.

9 Q. And you said your deposition was here in San
10 Francisco as well?

11 A. Yes.

12 Q. But you don't know whether that case was in a
13 courthouse here in San Francisco, or do you know?

14 A. The deposition?

15 Q. No, the case.

16 A. The case?

17 Q. Before a judge.

18 A. Oh, I don't know if it was in a courthouse or --

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1 A. (Nods head)

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■ [REDACTED]

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■ [REDACTED]

■ [REDACTED]

8 Q. Is there a resource information for the
9 administrators that you provide them?

10 A. Resource information?

11 Q. On how to set things up.

12 A. Yes, there's a user manual.

13 Q. Is that available publicly on the website, or is
14 that something only customers get?

15 A. It's available on the website.

16 Q. Let's go back to the user?

17 A. Okay.

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

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[REDACTED]

14 THE WITNESS: Can I get some water please.

15 MS. KOPEIKIN: Absolutely. Yes.

16 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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1 Q. Okay. So in the situation of --

2 I'm sorry, can you read that back.

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1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods used to collect and analyze data. It includes a detailed description of the sampling process and the statistical techniques employed to interpret the results.

3. The third part of the document presents the findings of the study. It shows that there is a significant correlation between the variables being studied, which supports the hypothesis that was tested.

4. The fourth part of the document discusses the implications of the findings for future research and practice. It suggests that the results could be used to inform policy decisions and to guide the development of new programs and initiatives.

5. The fifth part of the document provides a conclusion and a summary of the key points. It reiterates the importance of the study and the need for continued research in this area.

6. The sixth part of the document includes a list of references to the sources used in the study. It also includes a list of appendices that provide additional information and data.

7. The seventh part of the document is a glossary of terms that are used throughout the document. It defines the key concepts and provides a clear understanding of the terminology used.

8. The eighth part of the document is a list of figures and tables that are included in the study. It provides a clear overview of the data presented and allows the reader to easily locate the information they need.

9. The ninth part of the document is a list of footnotes that provide additional information and references. It also includes a list of acknowledgments that thank the individuals and organizations that provided support and assistance during the study.

10. The tenth part of the document is a list of appendices that provide additional information and data. It includes a list of tables and figures that are not included in the main text of the document.

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3 MR. HOLMES: Just -- just because we've been a
4 little bit over an hour, are you feeling in terms of --

5 THE WITNESS: Yes. Do you mind if we had a
6 little break, bathroom break.

7 MR. HOLMES: Is that all right with you?

8 MS. KOPEIKIN: Yes.

9 (Recess)

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■ ■ [REDACTED]

8 (Plaintiff's Exhibit 153 marked for identification)

9 Q. MS. KOPEIKIN: I'm going to show you now some
10 documents, we're almost I just want you to help me
11 confirm what they are and that they are Fortinet
12 documents. So I'll start with Exhibit 153.

13 Drew, your copy.

14 MR. HOLMES: Thanks.

15 Does this have a Bates number on it?

16 MS. KOPEIKIN: I don't believe so. I think it's
17 just a printout from Fortinet's website. I don't think
18 it's a production or --

19 MR. HOLMES: We're on 153.

20 MS. KOPEIKIN: Yes, I'll identify it for the
21 record. It's a document downloaded from Fortinet's
22 website Fortinet.com. It's entitled Fast and Secure
23 Performance with Consolidation.

24 And I'll let the witness, after he's had a chance
25 to look at the document, identify what it is, if he
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1 knows.

2 Q. You've had a chance to look at Exhibit No. 153,
3 Mr. Crawford. Can you please identify it, what it is.

4 THE WITNESS: I'm sorry what was your question?

5 Q. MS. KOPEIKIN: What is Exhibit 153?

6 A. It appears to be a marketing document of some
7 sort.

8 Q. Have you ever seen it?

9 A. No.

10 Q. Okay. Are you familiar with any of the marketing
11 materials at Fortinet?

12 A. I've seen some datasheets and things.

13 Q. But Exhibit 153 is not one of the things that
14 you've seen, at least in its entirety?

15 A. No.

16 Q. I -- because you're the person designated about
17 Design, development, structure, and operations of the
18 products and related documentation, I do want to walk you
19 through Exhibit 153 and some of the other documents that
20 are Fortinet marketing materials in part to see -- you
21 may not know the entire document in this capacity, I
22 expect you to know some portions of it.

23 So I would like you to turn to the second page of
24 Exhibit 153. And there's a timeline down at the bottom.
25 You may not have --

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1 Well, first of all, have you seen a timeline of
2 this sort in your work at Fortinet?

3 A. I've seen a similar timeline.

4 Q. And is the timeline on Exhibit 153 the timeline
5 of the development of the Fortinet products or events in
6 Fortinet's existence I guess is the right word?

7 A. It appears to be. Some sort of timeline of
8 events.

9 Q. Looking at a timeline on the second page of
10 Exhibit 153, there's a reference that says May 2002,
11 FortiGate/FortiOS 1.0, and it references a launch
12 INTEROP, do you see that?

13 A. I see that.

14 Q. Is this May 2002 time frame consistent with or
15 does it refresh your recollection about when FortiGate
16 product was launched?

17 A. Yes, I think I mentioned.

18 Q. I just want to make sure it's consistent with
19 your recollection. Then there's -- above the timeline
20 for April 2003 there's a reference to FortiManager. Is
21 that consistent with your recollection about when
22 FortiManager was launched as a product?

23 A. Yes, it could be around that time.

24 Q. Do you have any reason to believe that the April
25 2003 date for the launch of FortiManager is incorrect?

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1 A. Well, I didn't work on them that year at that
2 time. It's probably right.

3 Q. And on October 2004 there's reference it says
4 name WW -- which I assume to be worldwide -- UTM Leader.
5 Do you see that?

6 A. I see that.

7 Q. Is that a reference to Unified Threat
8 Management?

9 A. The -- the acronym?

10 Q. The UTM.

11 A. The acronym that it's referencing, Unified Threat
12 Management.

13 Q. There's a reference below the timeline being
14 second page of Exhibit 153 to a March 2004 product called
15 FortiClient?

16 A. Yes.

17 Q. Did you have any involvement in the development
18 of the FortiClient product?

19 A. No.

20 Q. Do you know what that product is?

21 A. Yes.

22 Q. What is it?

23 A. [REDACTED].

24 Q. Do you have any involvement with the FortiClient
25 now?

AEO

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1 A. Occasionally regarding specification documents,
2 and we help on occasion.

3 Q. Then goes on -- at some point something that's
4 not on the timeline was the implementation of this [REDACTED]
5 [REDACTED] that you referred to. But that would appear in the
6 timeline sometime around 2005, correct?

7 A. That was my estimate.

8 Q. Okay. And the May 2005 FortiOS entry about the
9 timeline, is that consistent with your general
10 recollection of when the FortiOS was updated to 3.0?

11 A. It could have been around that time.

12 Q. Do you have any reason to doubt that's -- the
13 correctness of that date?

14 A. I have no reason to doubt it.

15 Q. And again still on this timeline, it shows
16 January 2006 for the FortiWiFi program. Is that
17 consistent with your understanding of when the FortiWiFi
18 program was launched?

19 A. Yes, I think I mentioned it was around that time.
20 So.

21 Q. And then this is a reference, again, below the
22 time line on Exhibit 153 to FortiWeb 2009 -- February
23 2009. Is that the launch date of the FortiWeb product?

24 A. I -- I'm assuming it's launch time, yes.

25 Q. Going to the third page of Exhibit 153, and
 AEO

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1 October 2012 there's a reference to FortiOS 5.0. Is that
2 consistent with your understanding about when FortiOS
3 was -- I guess the version 5.0 was released on or around
4 that time?

5 A. Yes, I believe it was around that time.

6 Q. There's a reference to one million units shipped
7 in September 2012. What product or products is that
8 referring to?

9 A. I don't know.

10 Q. You don't know?

11 A. I don't know what that's -- what that's referring
12 to.

13 Q. Do you know how many units of FortiGate had been
14 shipped for the life of the product?

15 A. No.

16 Q. Okay. Also on that same third page of Exhibit
17 153 there's a discussion about forward-looking market
18 leadership. And it says that Fortinet is a Worldwide
19 leading provider of the UTM appliances, according to IDC
20 and Gartner. Do you see that?

21 A. I see that.

22 Q. In the reference there by Fortinet to UTM
23 appliances, what do you know that to be a reference to?

24 A. Could be referring to the FortiGate family of
25 products.

AEO

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1 Q. Is that your understanding?

2 A. I -- that's what I would understand it to be.

3 Q. Okay. Can you turn to the next page of Exhibit
4 153, please. And there is a chart there that shows, you
5 know, the term "breaking point". It's the bottom third
6 of the page. And it shows on the far left hand column in
7 red FortiGate, or Fortinet/FortiGate, and the number
8 there is 559. And then it goes across to the right and
9 the other references to Check Point, and then Juniper,
10 Crossbeam, Cisco Analyst, Cisco ASA, and then Palo Alto.

11 Do you see those?

12 A. I see that.

13 Q. And are those other references to other firewall
14 products competitive to FortiGate?

15 A. There are references to products. I don't know
16 if they are firewalls.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466
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- [REDACTED]
- ■ [REDACTED]
- ■ [REDACTED]
- [REDACTED]
- ■ [REDACTED]
- ■ [REDACTED]
- [REDACTED]
- ■ [REDACTED]
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- ■ [REDACTED]
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- ■ [REDACTED] [REDACTED]
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- ■ [REDACTED]

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- [REDACTED]
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[illegible]

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[illegible]

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[illegible]

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[illegible]

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■ [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

10 Q. All right. We'll come back to that because I
11 think we're talking past each other. I understand what
12 you're saying, but. There are some additional documents
13 I'd like to you look at too.

14 Next one is Exhibit 144.

15 (Plaintiff's Exhibit 144 marked for identification)

16 Q. MS. KOPEIKIN: Exhibit 144 and Fortinet produced
17 documents in this action. It's FORT-NPS-165877 through
18 NPS-891. I see my copy is double-sided.

19 (Discussion off the record)

20 (Recess)

21 MS. KOPEIKIN: Okay. You should have before you
22 Exhibit 144. I think I ID's it for the record, but, in
23 the event I did not, it's entitled [REDACTED]

■ [REDACTED]. It's a 15-page document, production
25 range FORT-NPS165877 through 165891.

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1 Do you have that in front of you?

2 A. I do.

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

16 First of all, is Jeff Crawford you?

17 A. Yes.

18 Q. So your first name, it's William, but you go by
19 Jeff?

20 A. Yes.

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

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■ [REDACTED]

■ [REDACTED]

3 Q. Okay. Let's go to Exhibit 145.

4 (Plaintiff's Exhibit 145 marked for identification)

5 MS. KOPEIKIN: Document entitled [REDACTED]

■ [REDACTED], production numbers FORT-NPS-169221 through
7 169227.

8 Mr. Crawford, it shows you as the author, do you
9 see that?

10 A. I see that.

11 Q. Is Exhibit 145 a document created and used in the
12 business of Fortinet?

13 A. I believe so.

14 Q. Is it a document you created?

15 A. Yes. I think I might have created this one.

16 Q. For what purpose?

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

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1 (Plaintiff's Exhibit 146 marked for identification)

2 MS. KOPEIKIN: All right. Let's go to Exhibit
3 146. And for the record it's entitled Table of Contents.

4 [REDACTED] is
5 the first entry, and the production stamp numbers are
6 FORT-NPS-171094 through 171097.

7 Do you know what this document Exhibit 146 is,
8 Mr. Crawford?

9 A. It appears to be a specification document.

10 Q. Oh, I think you have the wrong document in front
11 of you.

12 A. 147.

13 Q. 146, 147 let's fix that.

14 A. 146.

15 Q. Yes. Again, it's entitled Table of Contents and
16 then the first entry is had [REDACTED]

17 [REDACTED]
18 A. Your question was.

19 Q. What is Exhibit 146?

20 A. It appears to be a design document of some sort.

21 Q. For what?

22 A. It says here for [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]

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1 Q. Who is Cheng Gao?

2 A. Maybe it was an engineer.

3 Q. In what group or on what product?

4 A. Could have been on the -- on the FortiGate
5 development, but I don't know for sure.

6 Q. Did you ever work with Cheng Gao?

7 A. I don't think so.

8 Q. Is Exhibit 146 a document created in the ordinary
9 course of Fortinet business and used by Fortinet in its
10 business?

11 A. Looks like a document created for -- by the
12 engineering team.

13 (Plaintiff's Exhibit 147 marked for identification)

14 MS. KOPEIKIN: All right. Let's goes to Exhibit
15 147.

16 Production stamp numbers are FORT-NPS 177735
17 through 177744, and at the top of the first page of
18 Exhibit 147 it says Table of Contents, [REDACTED]
19 is the first entry.

20 Q. Is Exhibit 147 a document that was created in the
21 ordinary course of Fortinet's business and use in that
22 business, Mr. Crawford?

23 A. It appears to be, yes.

24 Q. What is [REDACTED] as used in your own
25 147?

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1 A. And [REDACTED] in general or --

2 Q. As used in Exhibit 147, what is that reference
3 to?

4 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11 (Plaintiff's Exhibit 148 marked for identification)

12 Q. Okay. Exhibit 148. Okay. Wait a second. Can I
13 have 148 please.

14 Can't read my own writing. For the record,

15 Exhibit 148 is entitled [REDACTED].

16 Production numbers FORT-NPS-176 -- excuse me, 178611

17 through 178620. [REDACTED]

[REDACTED]

[REDACTED]

20 This document indicates on the first page that it

21 is a [REDACTED]. What does that mean?

22 [REDACTED]

[REDACTED]

24 Q. And the feature addressed in Exhibit 148 is a web

25 [REDACTED], correct?

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1 A. Appears to be.

2 Q. Is Exhibit 148 a document created in the course
3 of Fortinet's business and use in that business?

4 A. I believe so.

5 Q. Did you have any role in creating Exhibit 148?

6 A. I don't think so.

7 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[illegible]

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[illegible]

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[illegible]

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The diagram consists of a vertical list of 15 items. Each item is represented by a small square icon to its left and a horizontal bar of varying length and position to its right. The bars are arranged in a way that suggests a sequence or hierarchy, with some items having longer bars than others, and some bars being indented further to the right than others.

21 MS. KOPEIKIN: Okay.

[illegible]

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[REDACTED]

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-- can you read

17 I'm going to use your word.

_____, _____, _____, _____

Downloaded from <http://ajph.org/> at University of California, San Diego on September 11, 2014

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1 Q. Have you ever done a patent search to determine
2 whether there were patents that the Fortinet devices
3 might infringe other than at the instruction of
4 counsel?

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■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

6 (Plaintiff's Exhibit 149 marked for identification)

7 MS. KOPEIKIN: All right. Let's go to Exhibit

8 149, please. And for the record it's entitled [REDACTED]

■ [REDACTED], production number

10 FORT-NPS-178656 through 178662.

11 Q. And is Exhibit 149 a document that you authored

12 in the course of your employment at Fortinet,

13 Mr. Crawford?

14 A. It has my name on it, and it appears to be

15 something I had written.

16 Q. Is that something -- is Exhibit 149 a document

17 you created in the ordinary course of Fortinet's

18 business?

19 A. I believe so.

20 (Plaintiff's Exhibit 150 marked for identification)

21 Q. Exhibit 150. Would you turn to that please.

22 It's entitled [REDACTED].

23 FORT-NPS-178663 through 178673.

24 Is Exhibit 150 a functional specification that

25 you have created in the ordinary course of your

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1 employment with Fortinet?

2 A. Looks like one of the ones I've authored.

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED] [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

14 (Plaintiff's Exhibit 151 marked for identification)

15 MS. KOPEIKIN: All right. Please turn to Exhibit

16 151. It's entitled [REDACTED] And

17 production numbers are FORT-NPS 164710 through 164715.

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED] [REDACTED]

■ [REDACTED]

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■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]

8 Q. Okay. And Exhibit 151, [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]

13 Do you see that?

14 A. I see that.

■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]

22 (Plaintiff's Exhibit 152 marked for identification)

23 MS. KOPEIKIN: Let's go to Exhibit 152 entitled

24 [REDACTED]. And the production

25 number is FORT-NPS 169248 to 169250.

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1 Q. Have you ever seen this [REDACTED]

2 [REDACTED] document before?

3 A. It was very vague. I think it maybe a very old
4 one. I think I may have seen it.

5 Q. In what context?

6 A. I don't recall.

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 Q. What is your current job title?

17 A. My current job title?

18 Q. Yes.

19 A. It's Senior Director of Product Management.

20 Q. How many people work under you?

21 A. None.

22 Q. None?

23 A. None.

24 Q. And you report to Michael Xie too?

25 A. No.

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1 Q. Who do you report to?

2 A. I report to Robert May.

3 Q. What is his title?

4 A. VP of Product Management.

5 Q. When did you stop reporting to Michael Xie?

6 A. 2005, sometime around there.

7 Q. And since you stopped reporting to Michael Xie
8 have you at all times reported to Robert May?

9 A. No.

10 Q. Who else did you report to before Robert May?

11 A. I think I answered before I reported to Hongwei
12 Li.

13 Q. When did you start reporting to Robert May?

14 A. I believe it was 2009.

15 Q. Other than Michael Xie and then Mr. Hongwei --

16 A. Li.

17 Q. -- Mr. Li, and then Mr. May, is there anyone else
18 you have reported to at Fortinet?

19 A. I think that's it.

■ ■ [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED] [REDACTED]

■ [REDACTED]

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[illegible]

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[REDACTED]

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■ ■ ■

■ ■ ■

3 Q. Did you know Michael Xie before you started
4 working at Fortinet?

5 A. Yes, I did.

6 Q. How?

7 A. My wife knew him.

8 Q. Your wife knew him?

9 A. Yes.

10 Q. How?

11 A. They went to the same university.

12 Q. What university was that?

13 A. University of Manitoba.

14 Q. What's your wife's name?

15 A. Katherine.

16 Q. Does she work for Fortinet?

17 A. Yes.

18 Q. In what capacity?

19 A. She's currently the VP of operations.

20 Q. How long has she worked for Fortinet?

21 A. Since 2000.

22 Q. Is her last name also Crawford?

23 A. Yes.

24 Q. Did she work with Michael Xie before Fortinet?

25 A. No.

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1 Q. So how long have you known Michael Xie?

2 A. Probably from '99. I can't remember if I met
3 him, but I probably knew him a little bit.

■ ■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

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24 Please turn to the page number 3, back to the
25 Topics?

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1 Okay. On the design of the Accused Products.

2 Are there any aspects of design that you were asked to
3 testify about that we haven't covered today?

4 A. Is this related to a particular section?

5 Q. No, you're not in on -- on page No. 3.

6 A. Page No. 3.

7 Q. Topic No. 6.

8 A. Yes.

9 Q. Are there any aspects of the design that we have
10 not covered today that you are then prepared to testify
11 about.

12 A. I'm prepare to -- I've prepared for the, design,
13 development structure, its operation of the Accused
14 Products.

15 Q. Is there anything about the design that you
16 haven't testified about, that we haven't touched on
17 today?

18 A. Well, I have knowledge of the design of the
19 product.

20 Q. Okay. Is there anything other than the general
21 areas we've talked about today?

22 A. I don't know what the -- I don't quite follow
23 your question.

24 Q. Okay. Well, you prepared to testify today about
25 the design, development, structure, operation of Accused
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1 Products?

2 A. Yes.

3 Q. And I'm just trying to make sure that you've had
4 a fair opportunity to testify about those subjects, that
5 I have at least touched upon them.

6 A. Okay.

7 Q. So with regard to the design of the Accused
8 Products, are there areas that you think that we haven't
9 covered with regard to the design that you are prepared
10 to testify about today?

11 A. Well, I prepared in general. You can ask the
12 questions of what you are interested in. So I -- I know
13 lots of designs, but I'm not sure what you want -- want
14 to ask, so.

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1 regard to transparent proxy processes concerning the
2 Accused Products that we haven't discussed?

3 A. I can't think of anything else right now.

■ ■ [REDACTED]

■ [REDACTED]

■ ■ ■

■ ■ [REDACTED]

■ ■ ■

9 MS. KOPEIKIN: Why don't you go catch your
10 flight.

11 THE WITNESS: Okay. Thank you.

12 MS. KOPEIKIN: Thank you for your cooperation.

13 THE WITNESS: Thank you.

14 (Whereupon, the deposition concluded at 5:56 p.m.)

15 --o0o--

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1 DECLARATION

2 I hereby declare under penalty of perjury that I have
3 read the foregoing transcript and certify that
4 (check one)

5 _____ I have no corrections.

6 _____ I have made corrections as reflected on the
7 attached Deponent's Correction Sheet and I now approve my
8 deposition as true and correct.

9

10 Dated: _____ at _____,
11 (City)

12 _____ .
13 (State)

14

15

16 _____
17 WILLIAM JEFFREY CRAWFORD

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CERTIFICATE OF REPORTER

I, PEPPINA HARLOW, Certified Shorthand Reporter,
license No. 7433, of the State of California, do hereby
certify:

That the witness in the foregoing proceedings
was present and was by me duly sworn as a witness in the
above-entitled action, and that this transcript is a true
record of the testimony and of the proceedings which took
place.

IN WITNESS WHEREOF, I have hereunto set my hand
the 9th day of February, 2013.

PEPPINA HARLOW, C.S.R. No. 7433

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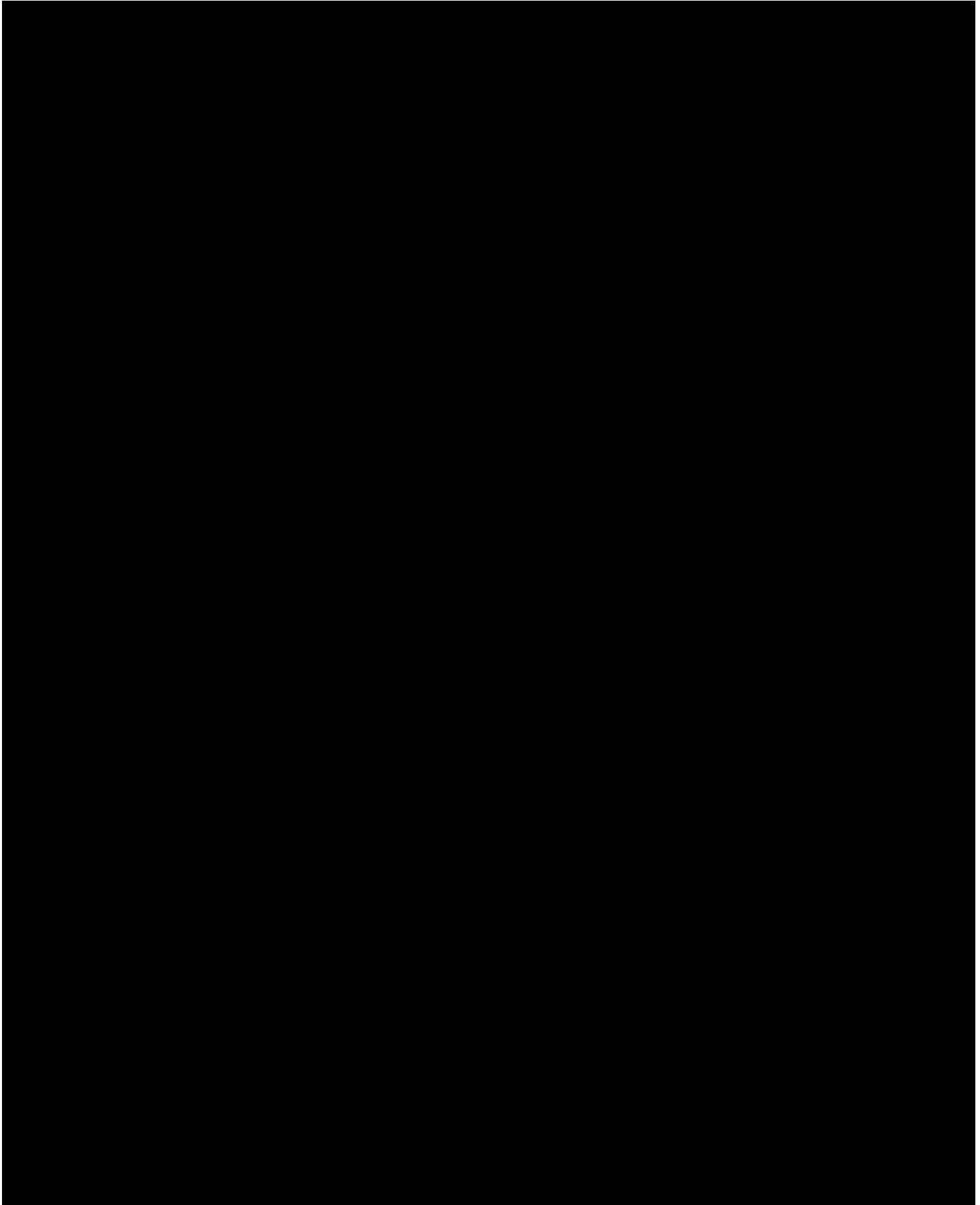
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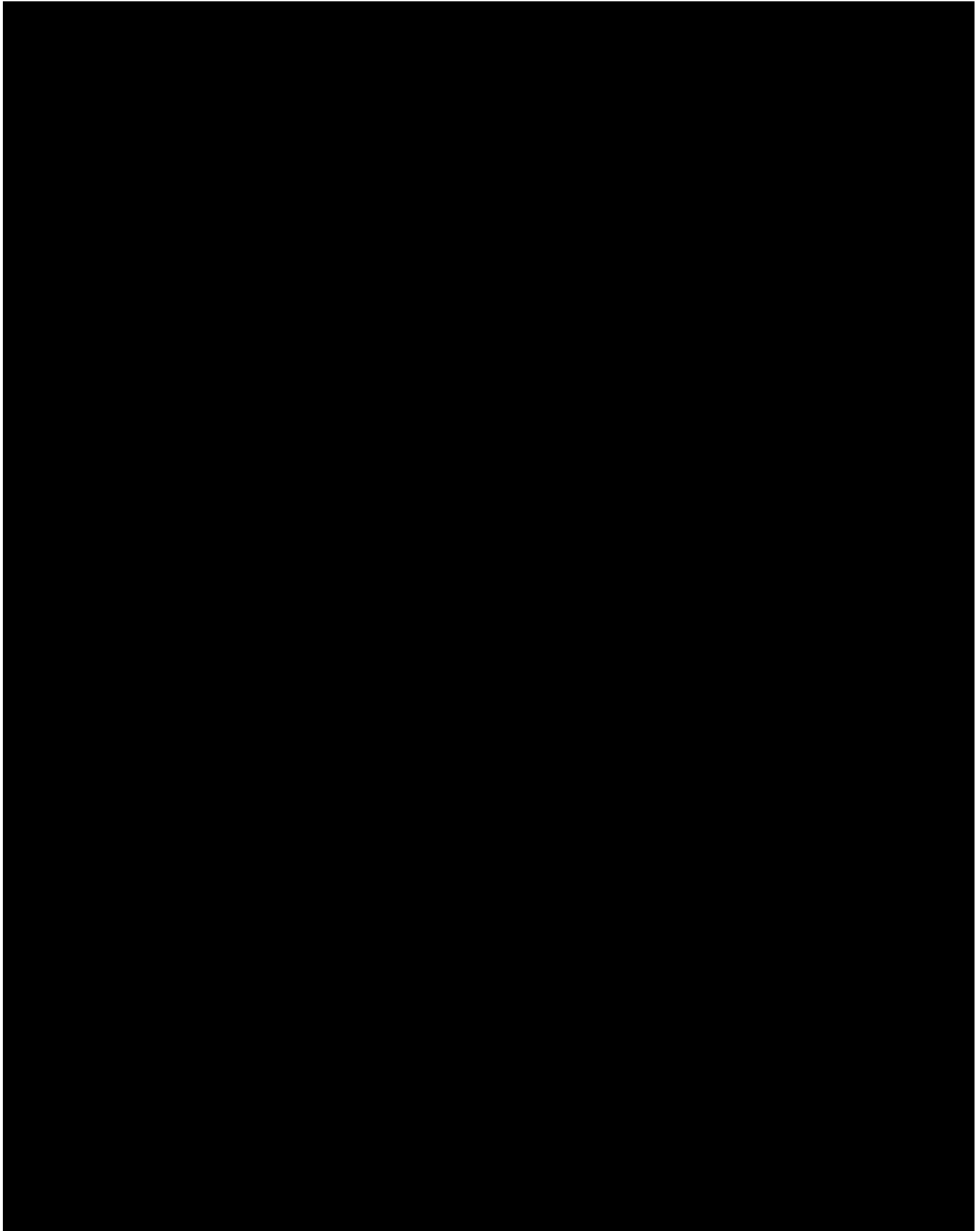
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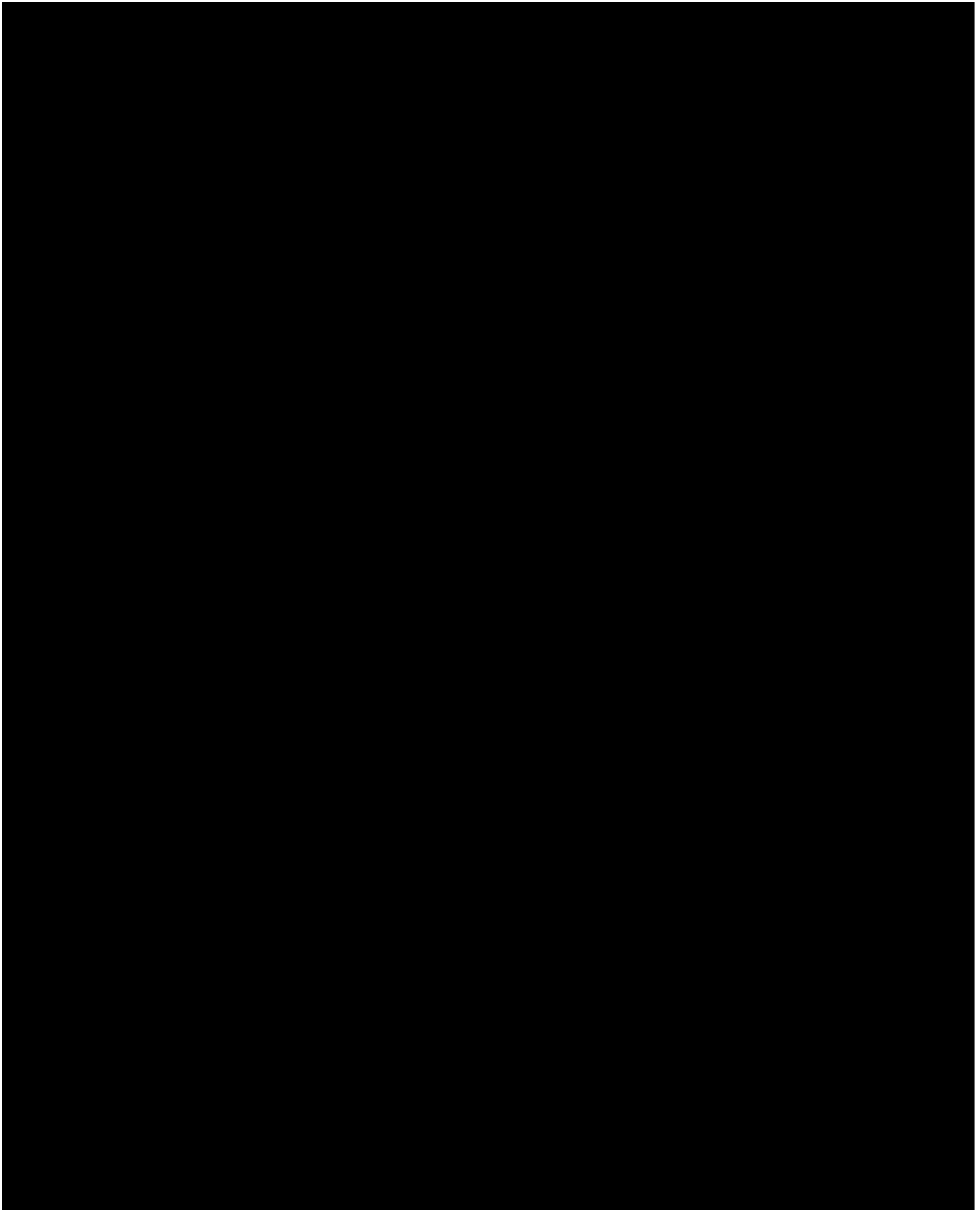
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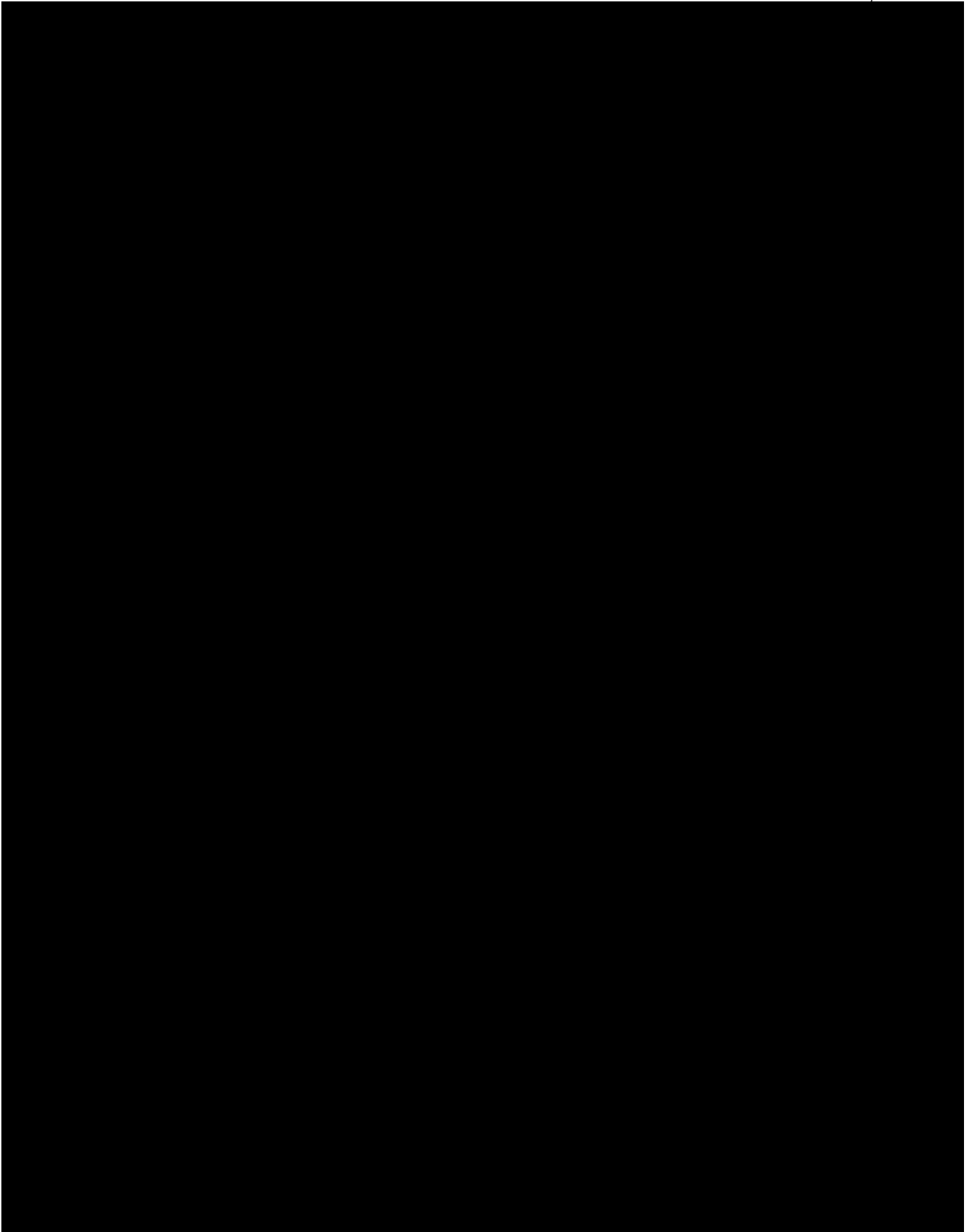
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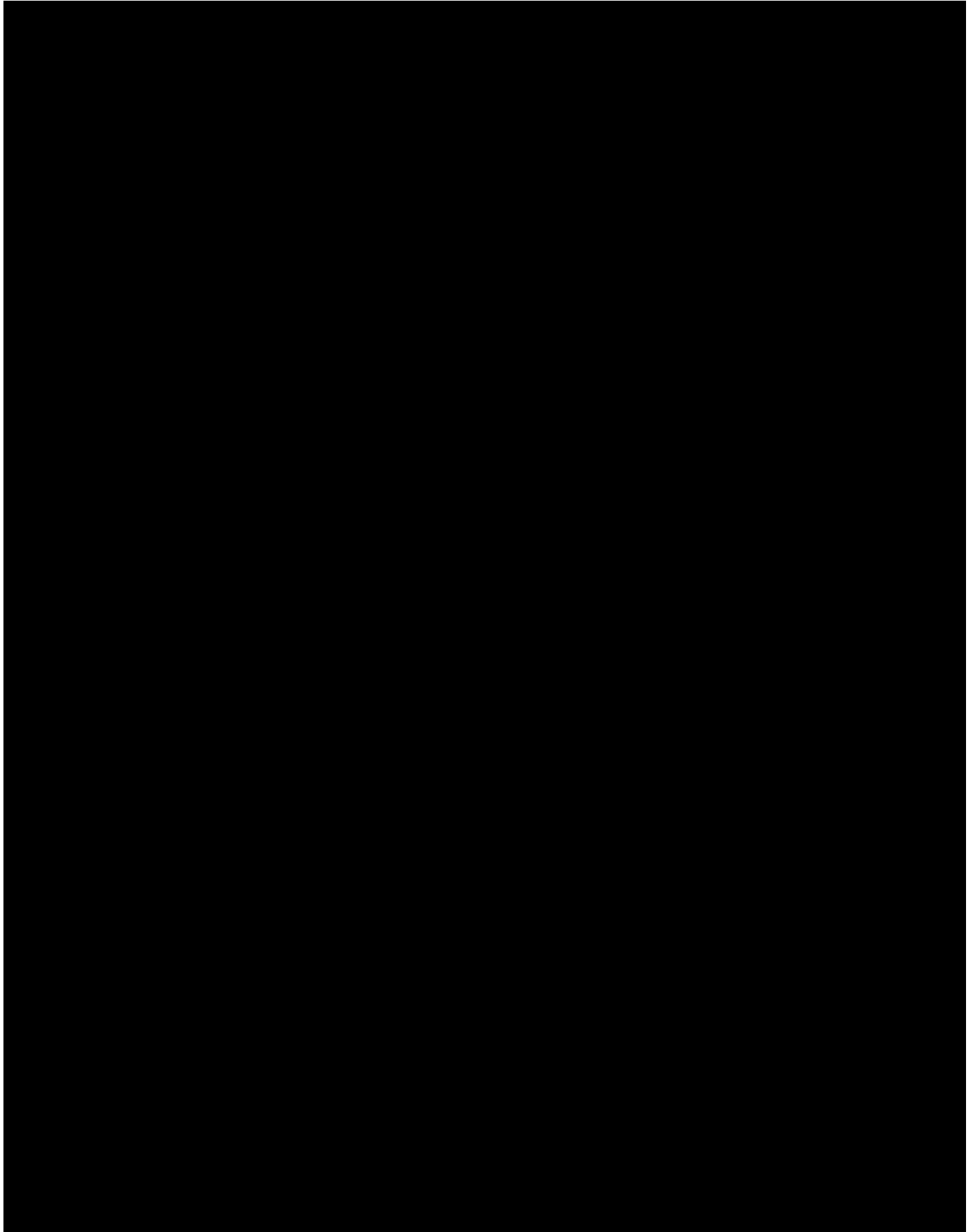


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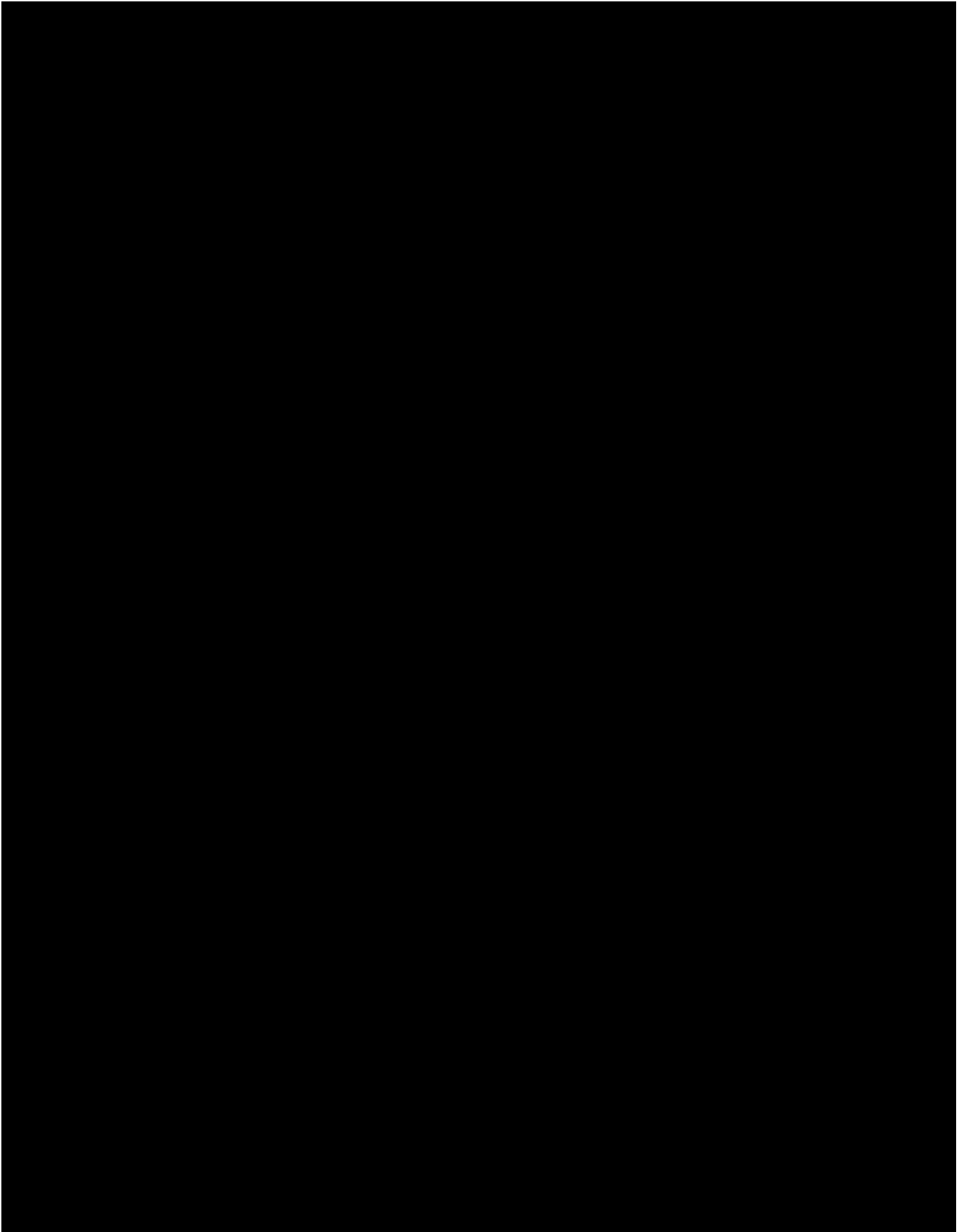
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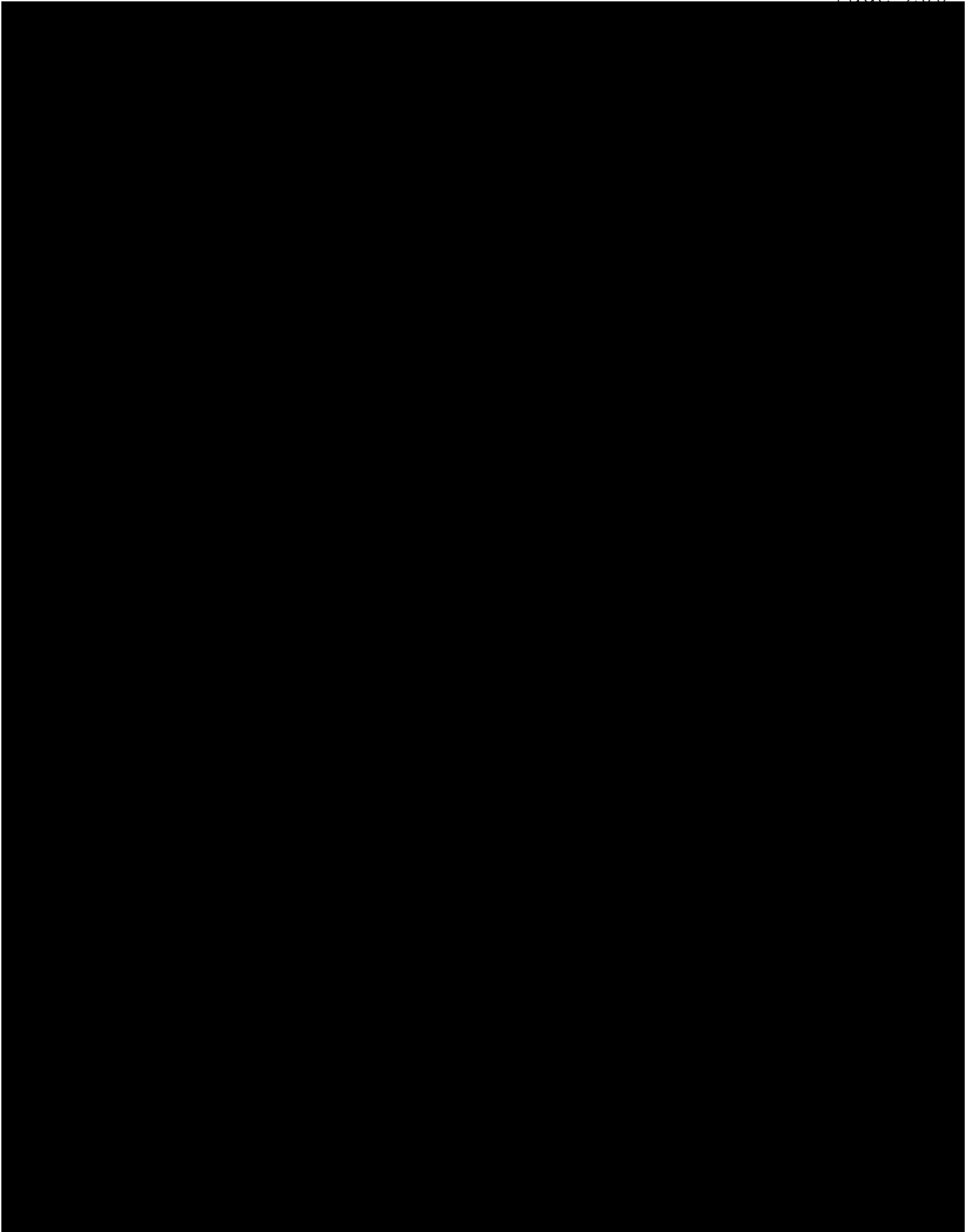


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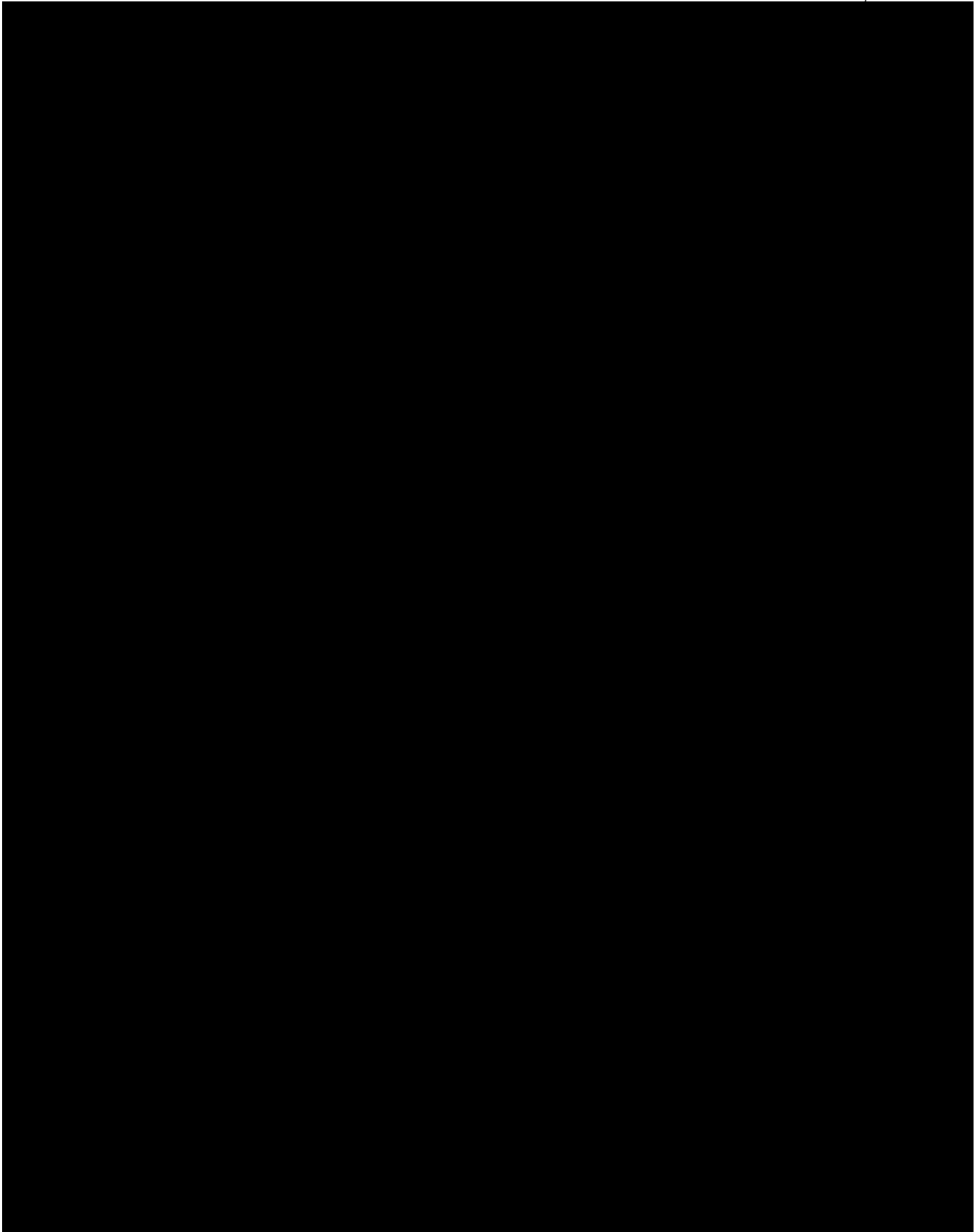
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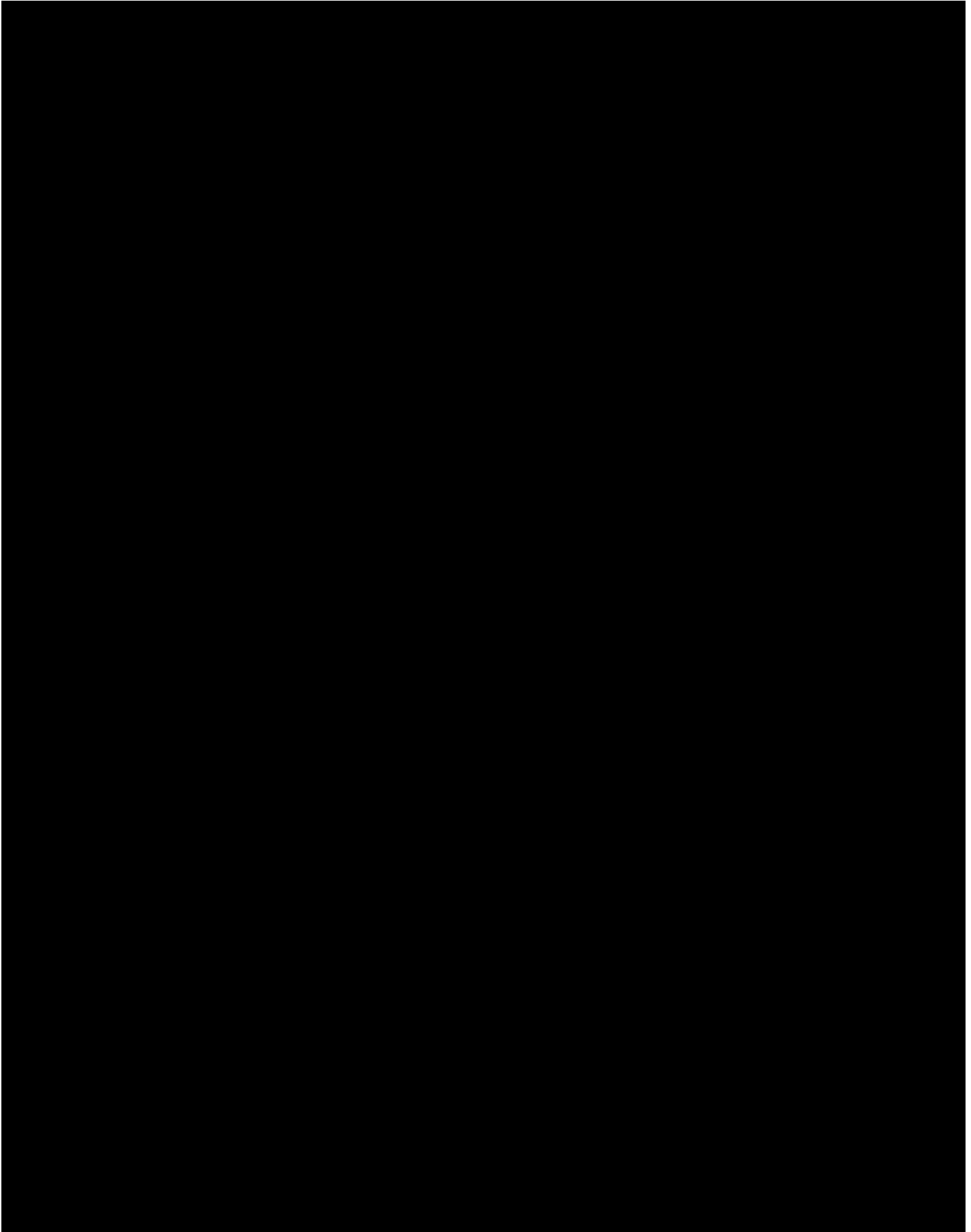


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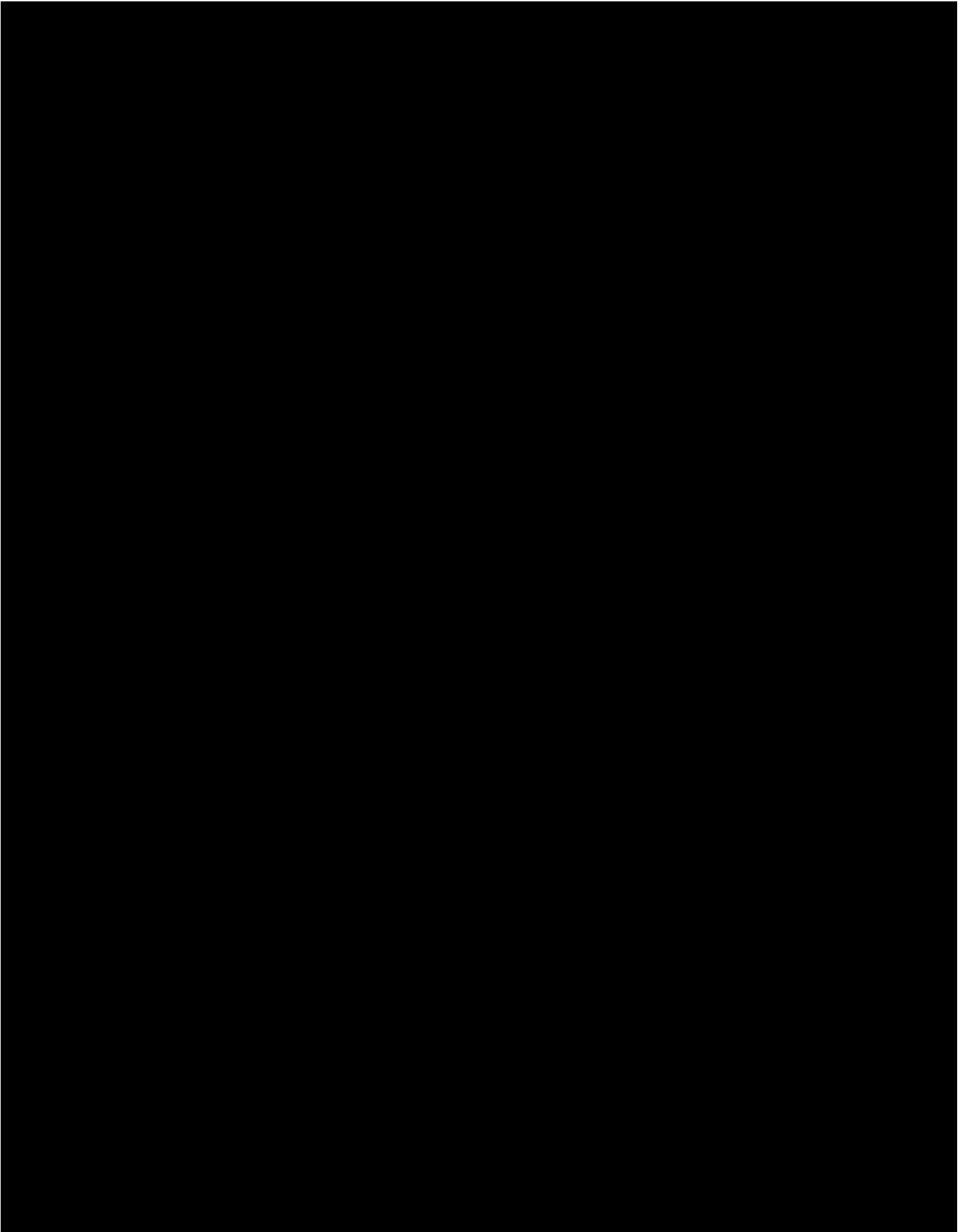
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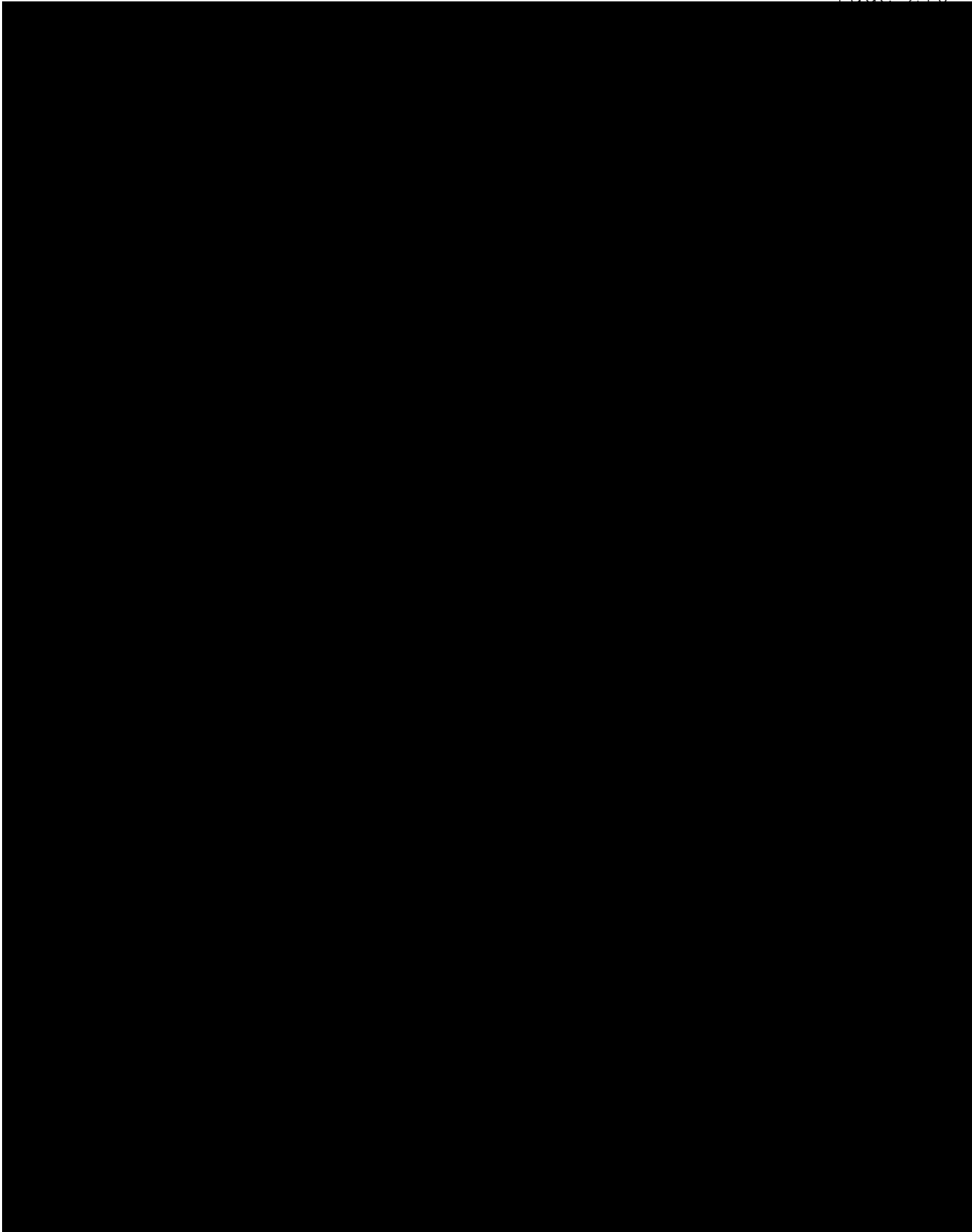


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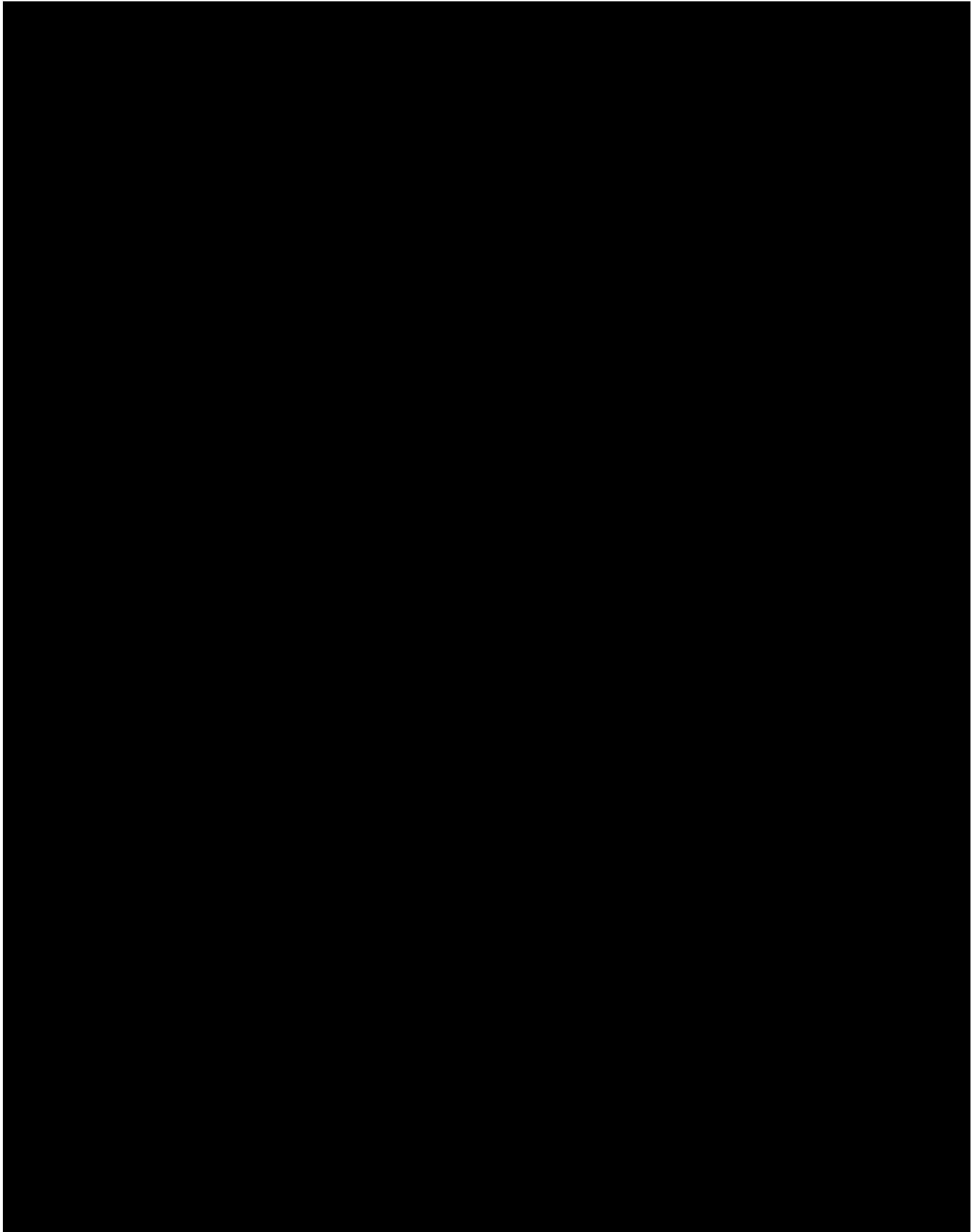


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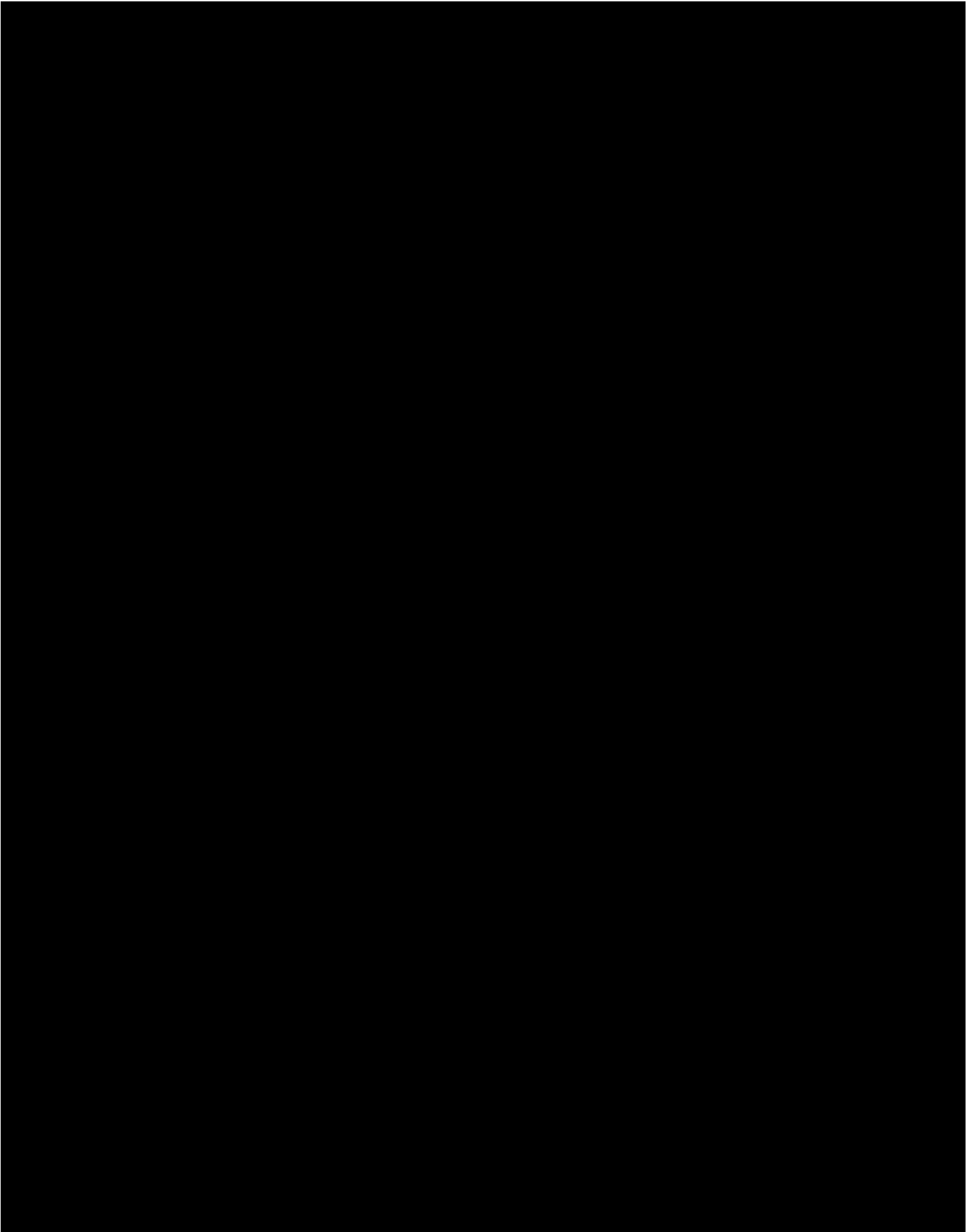
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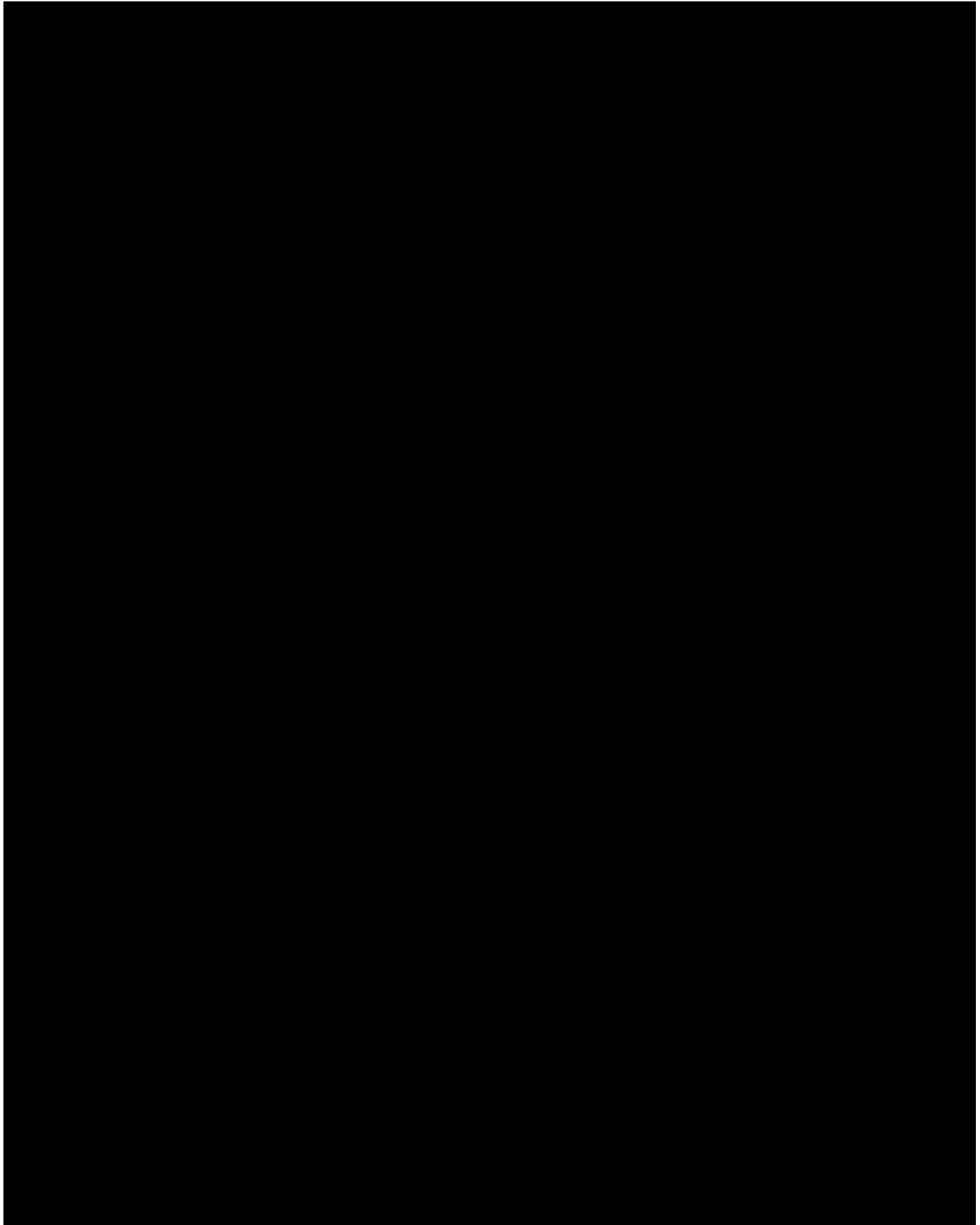
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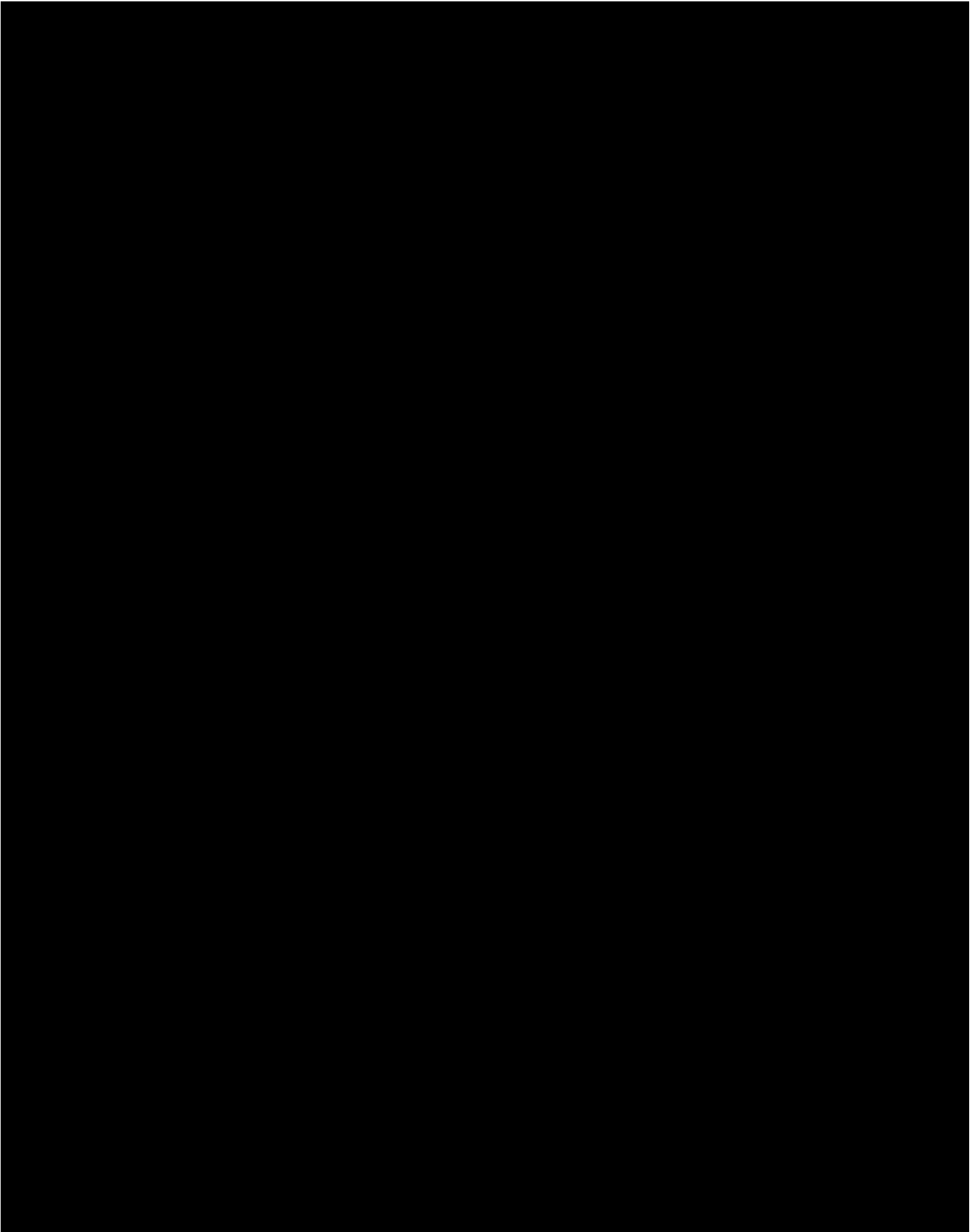
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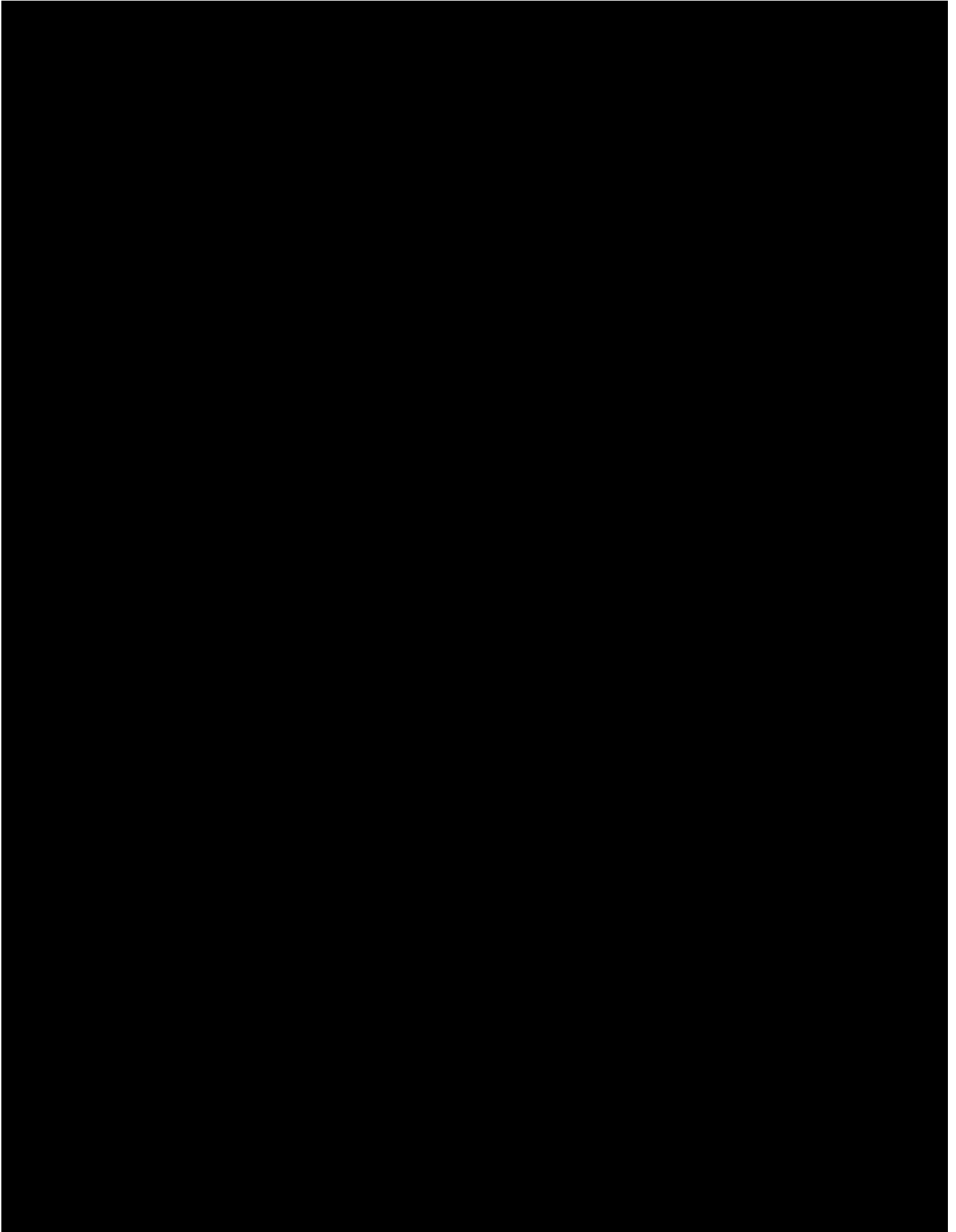
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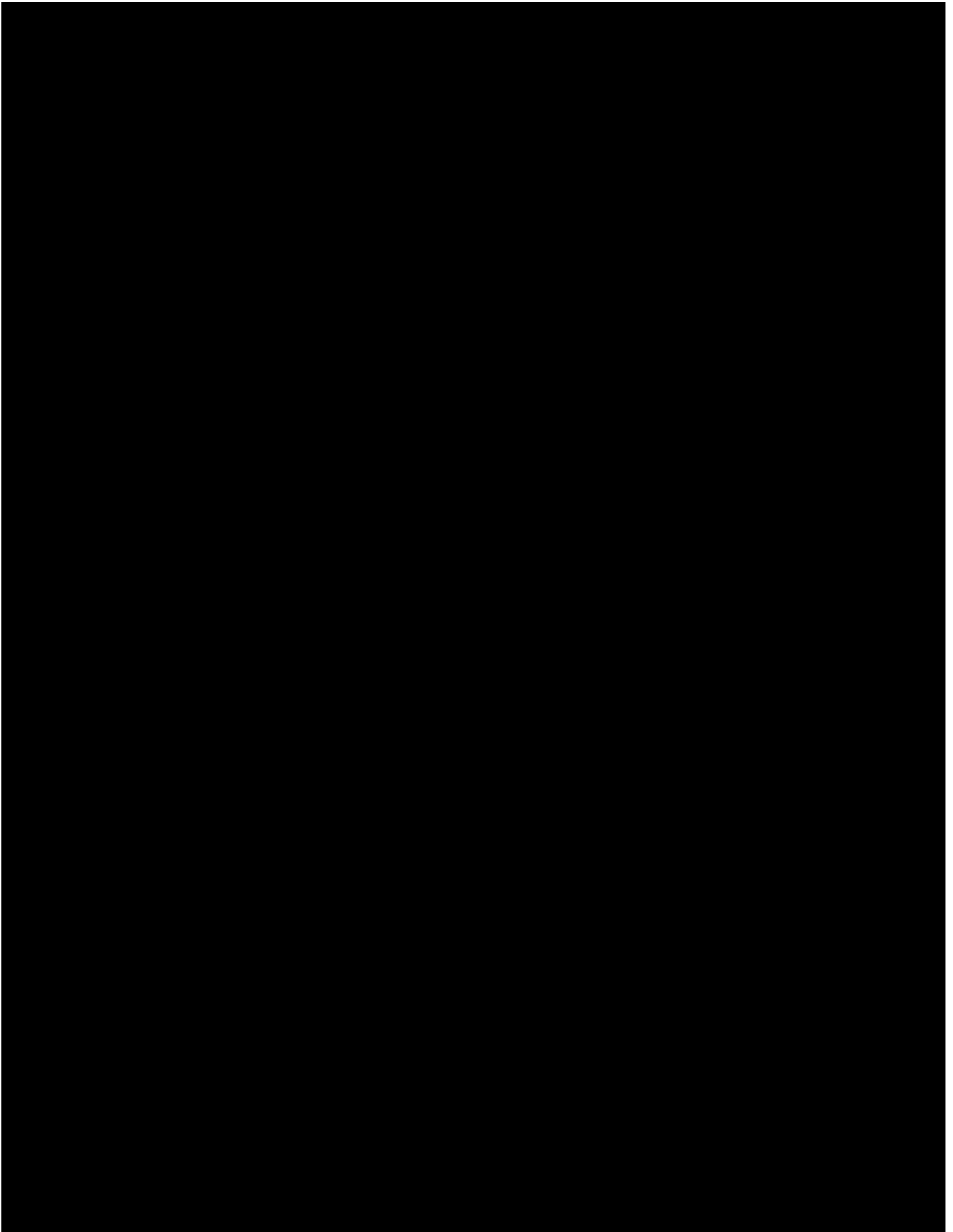
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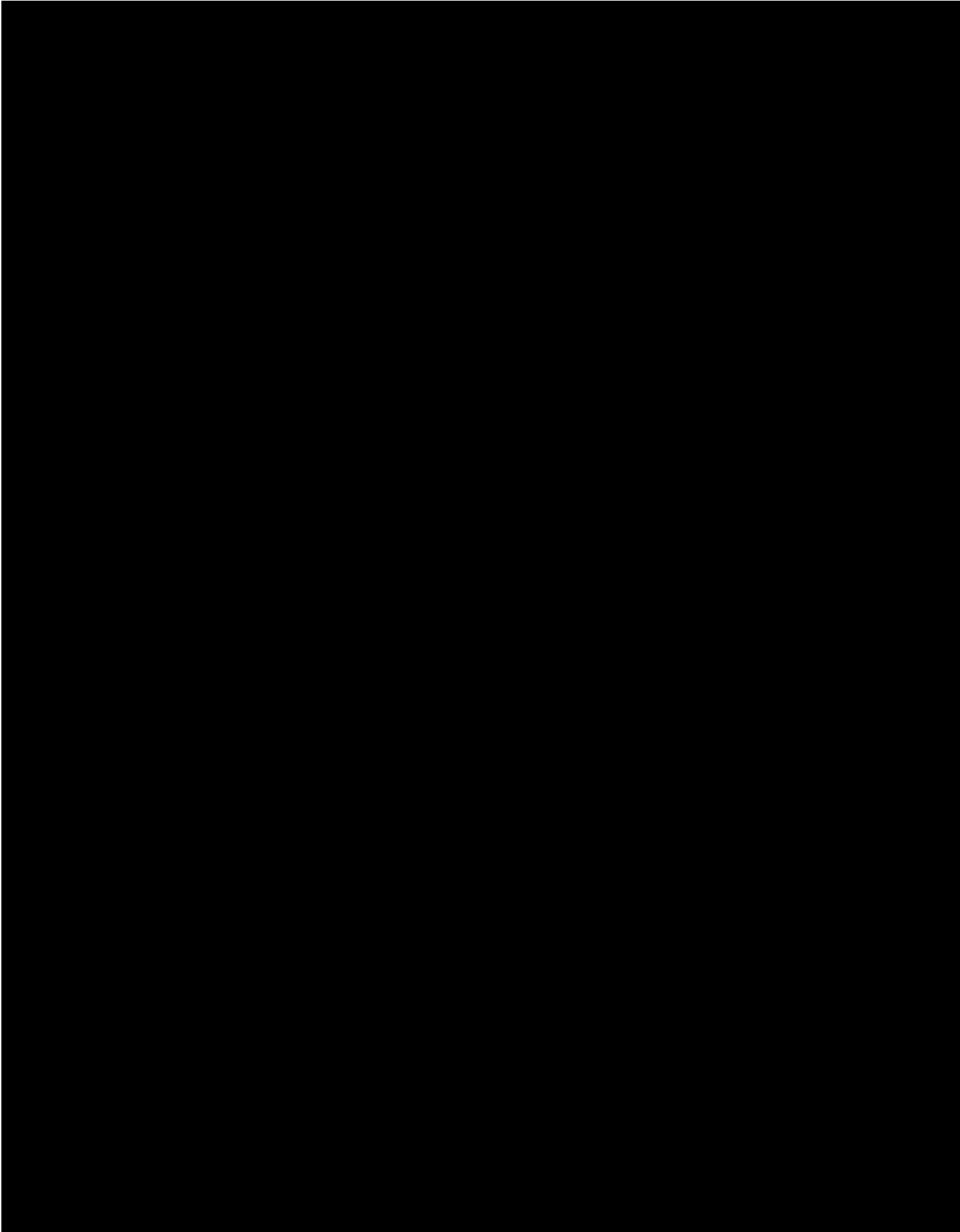
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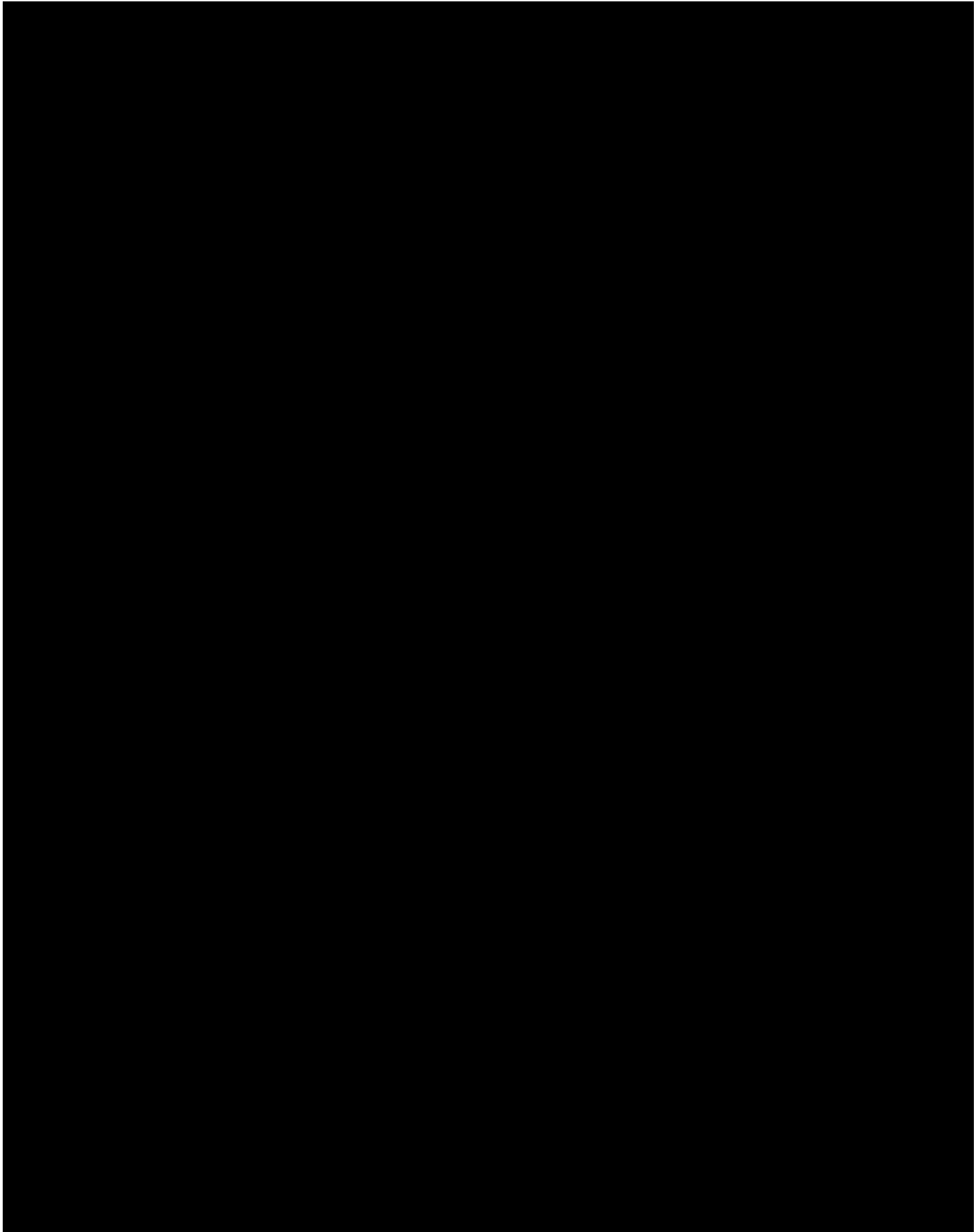
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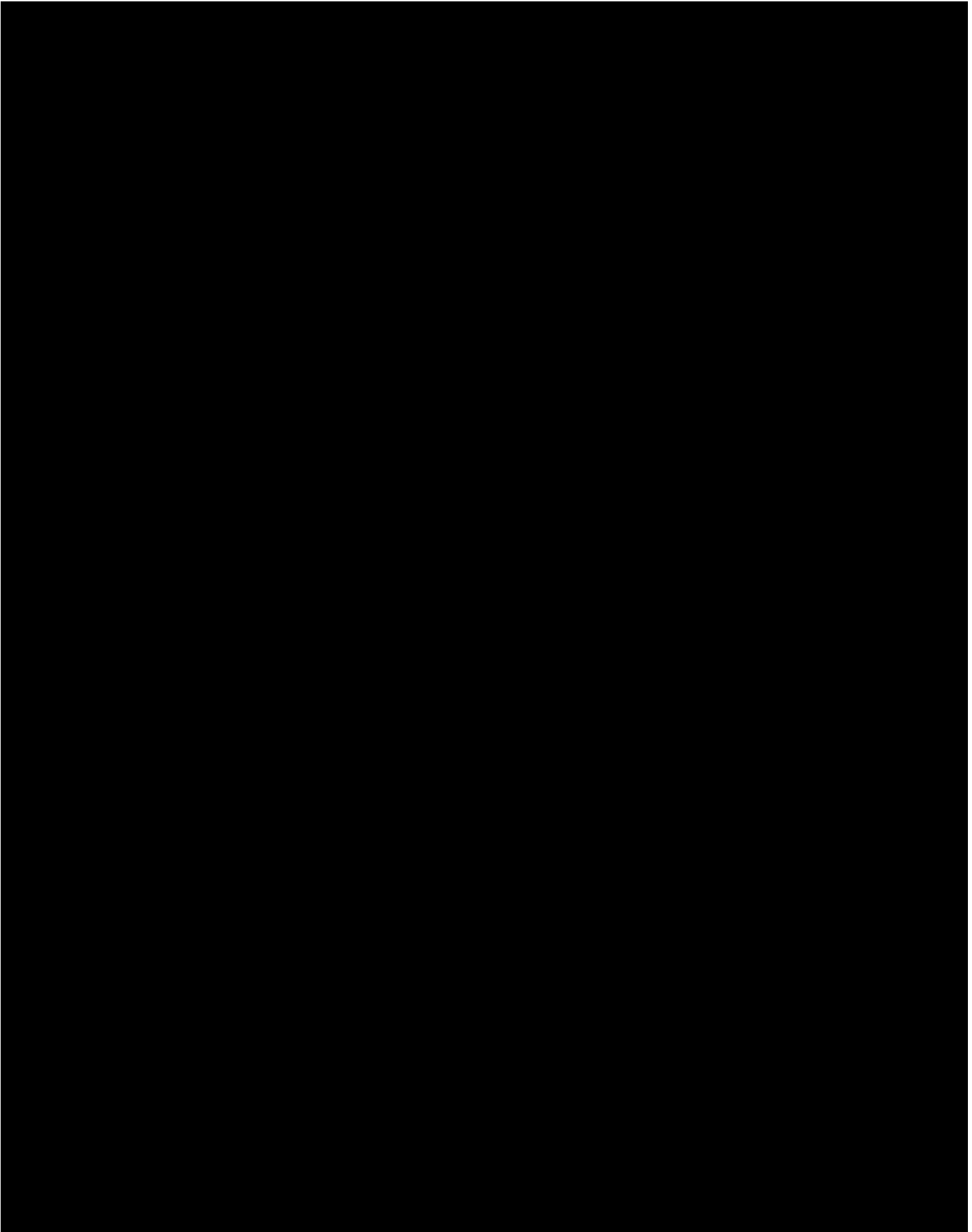
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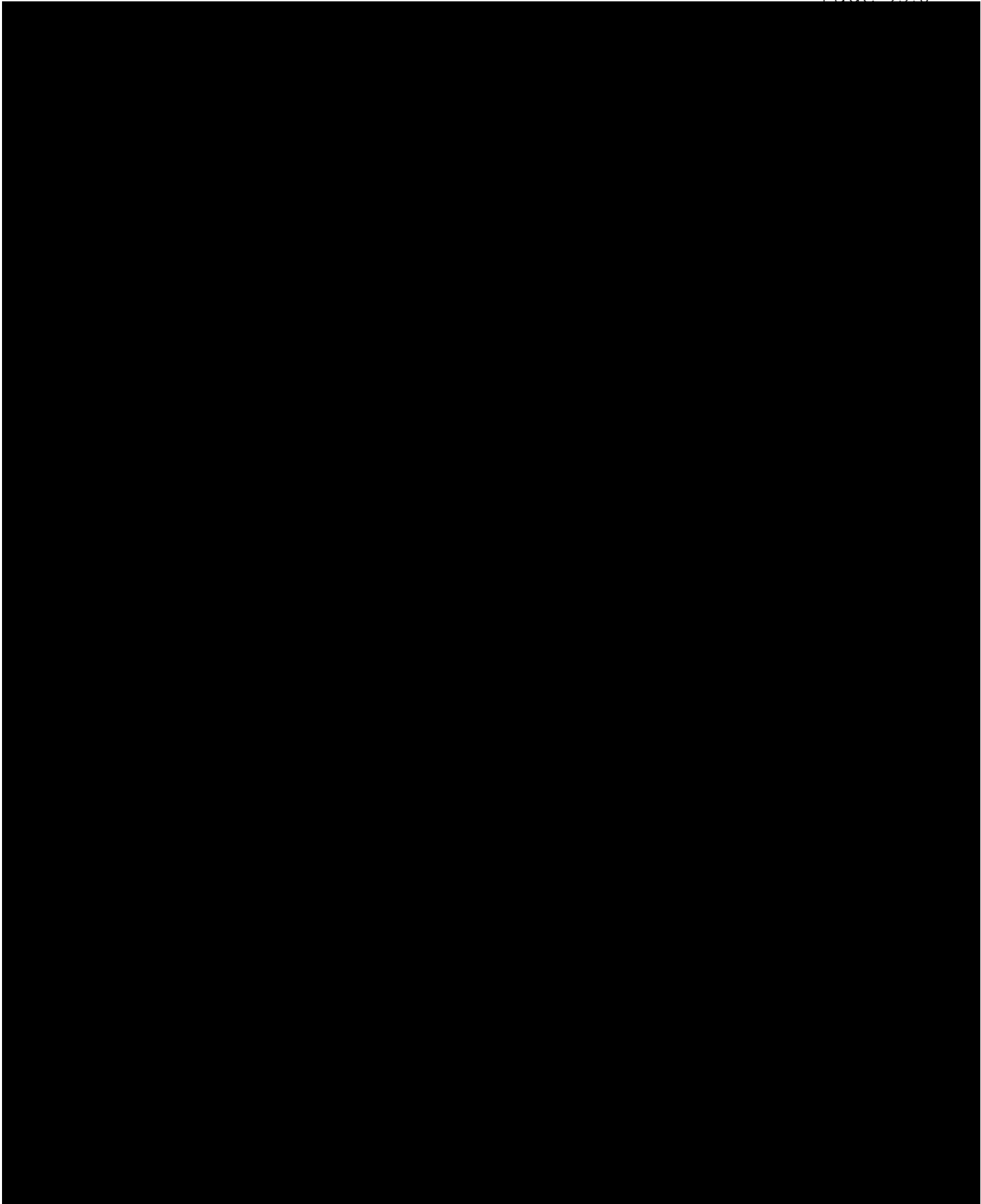


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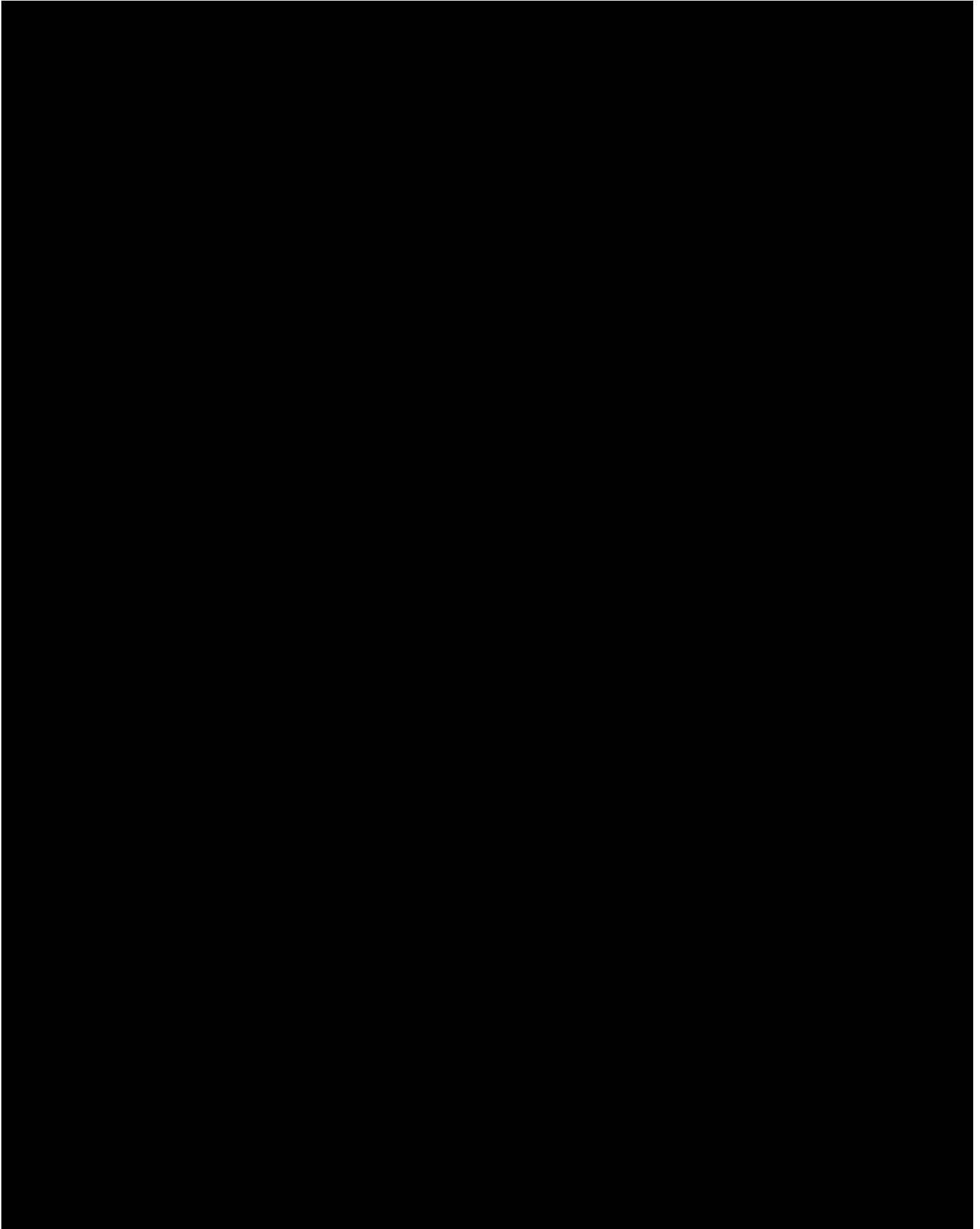


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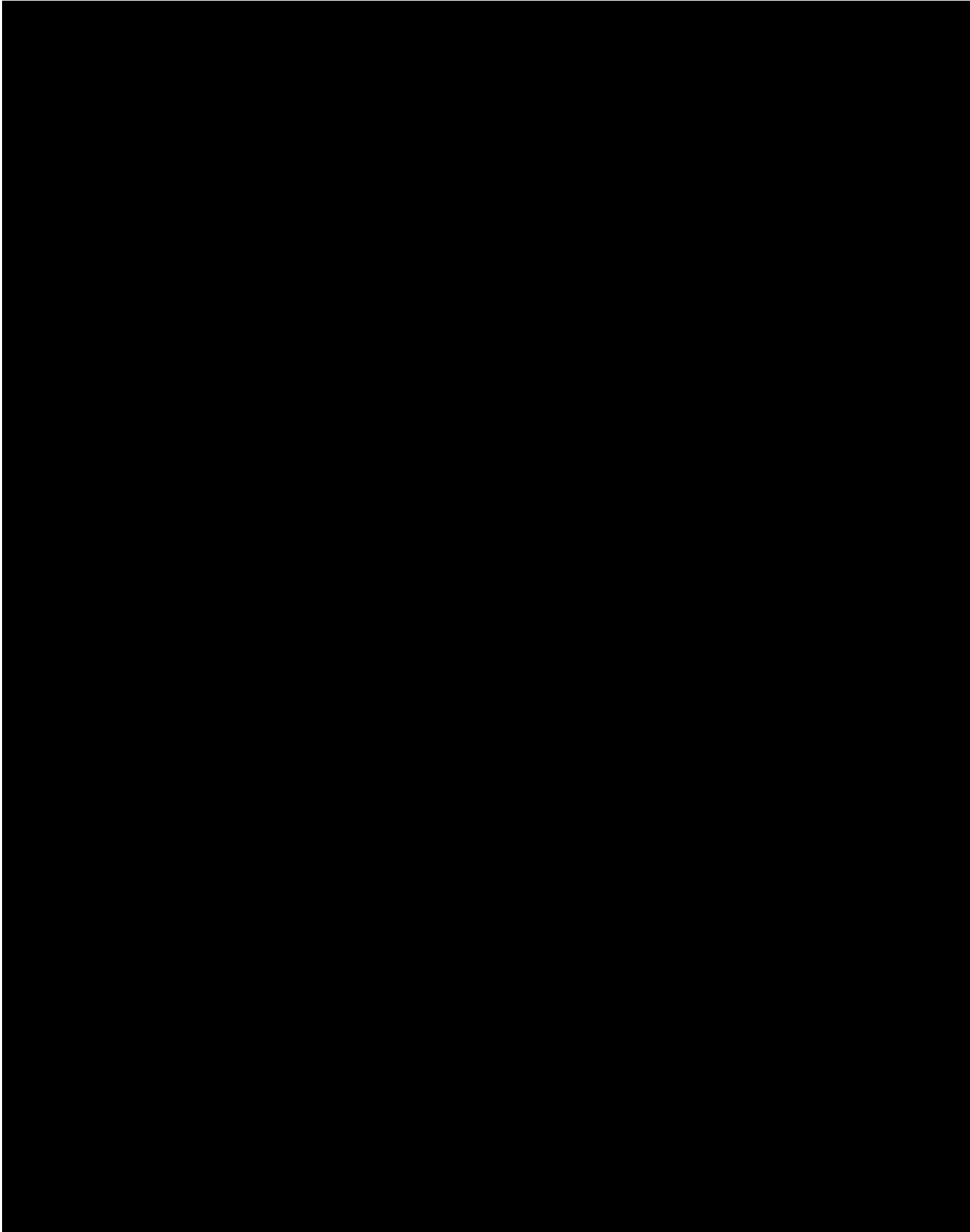
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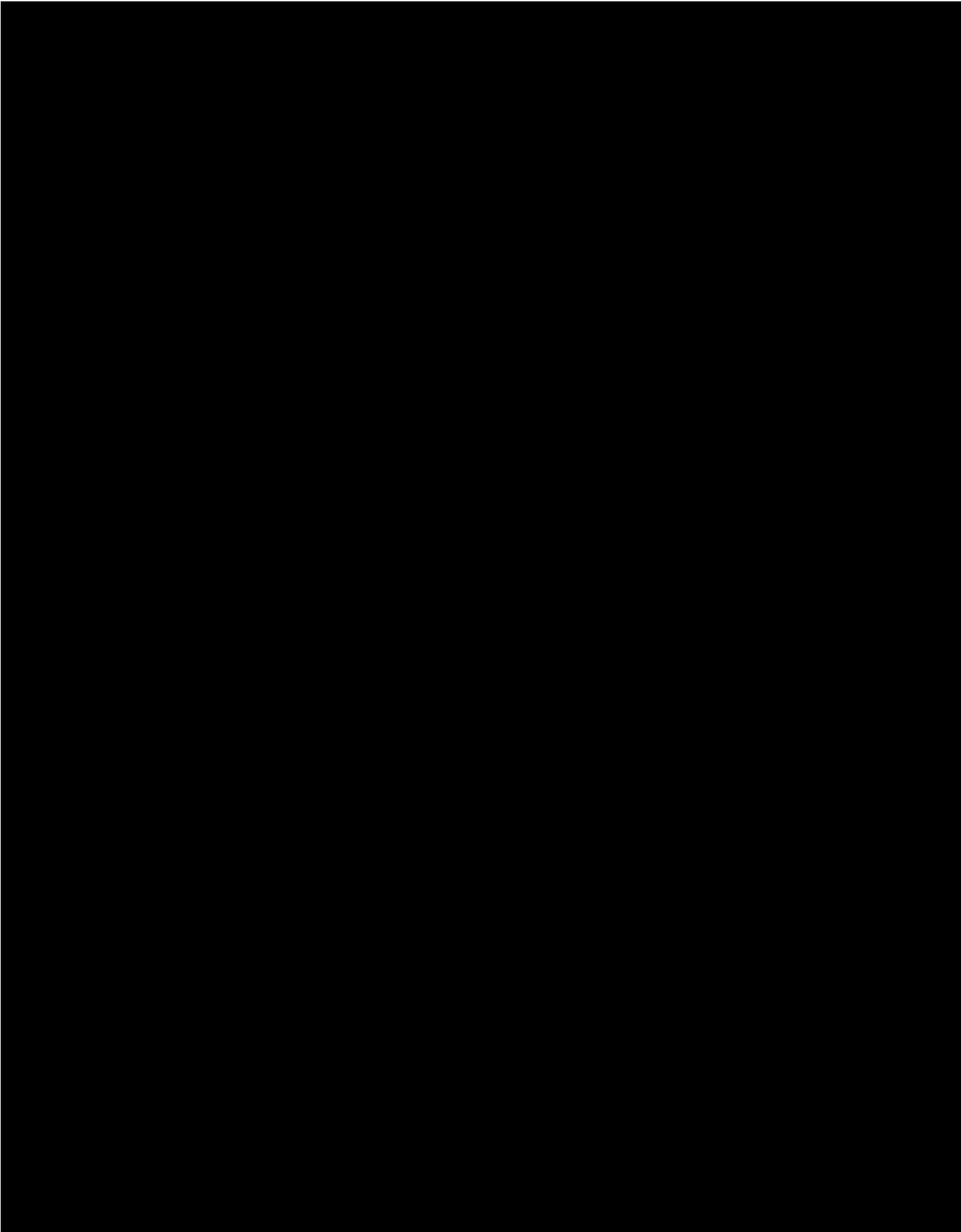
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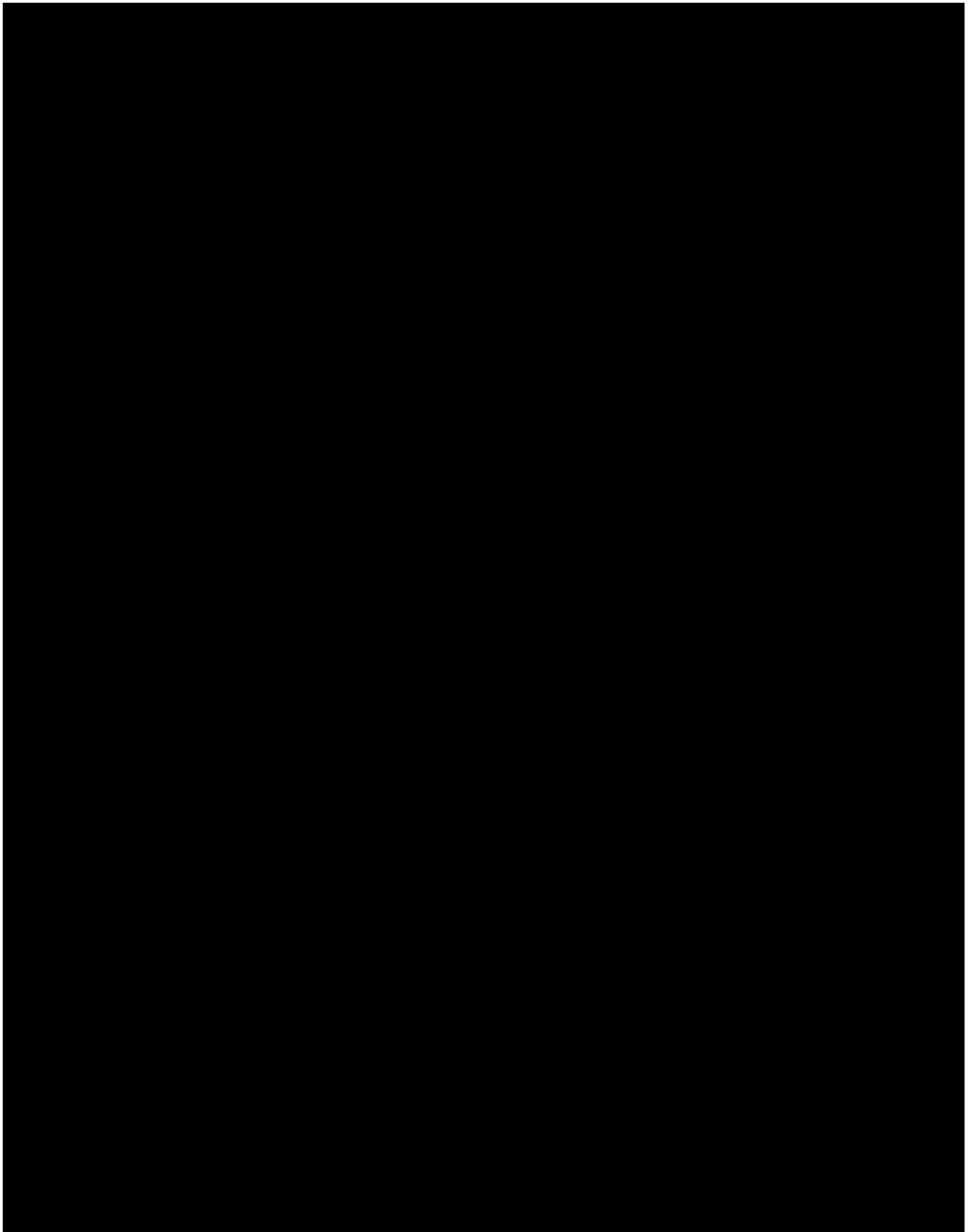
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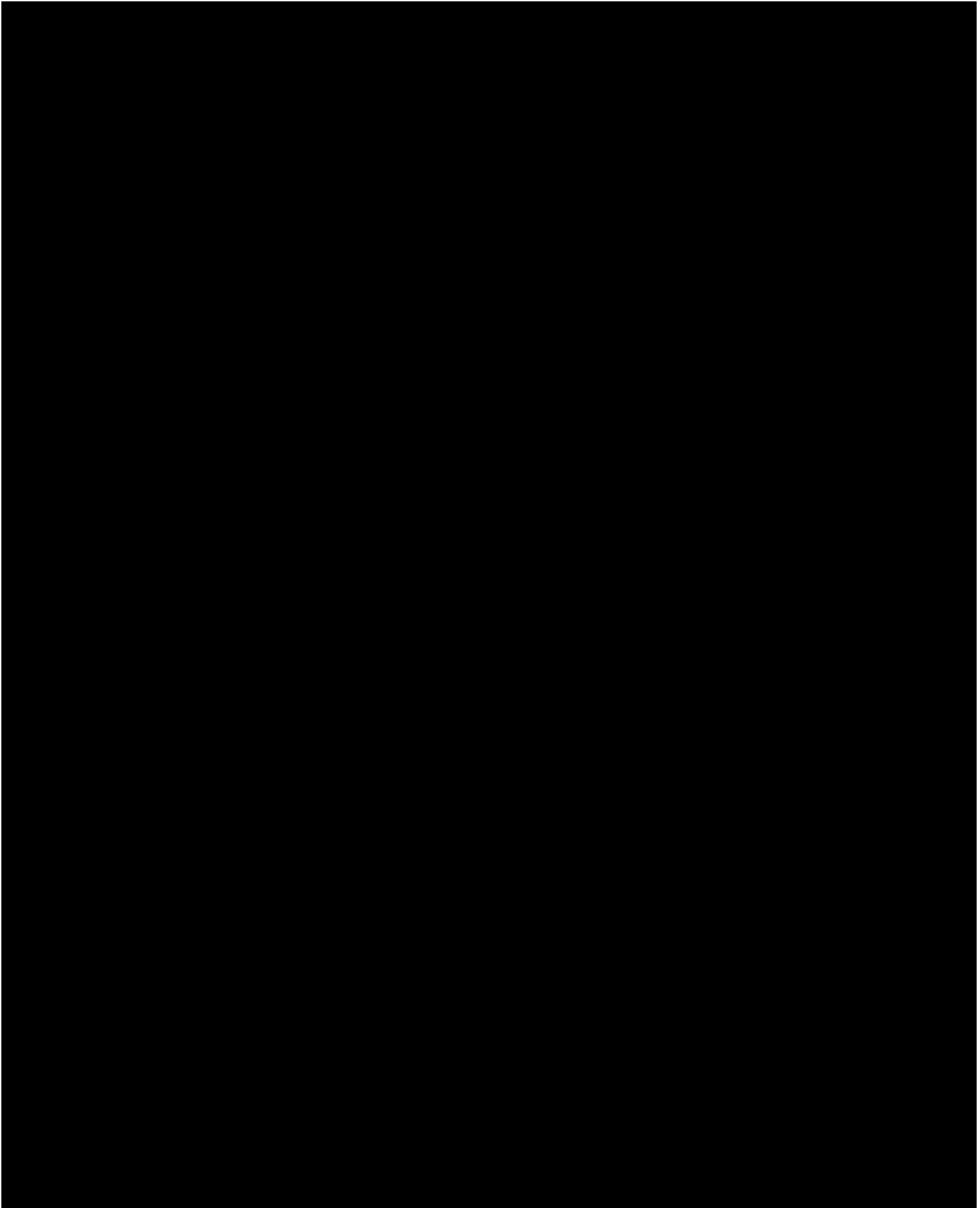
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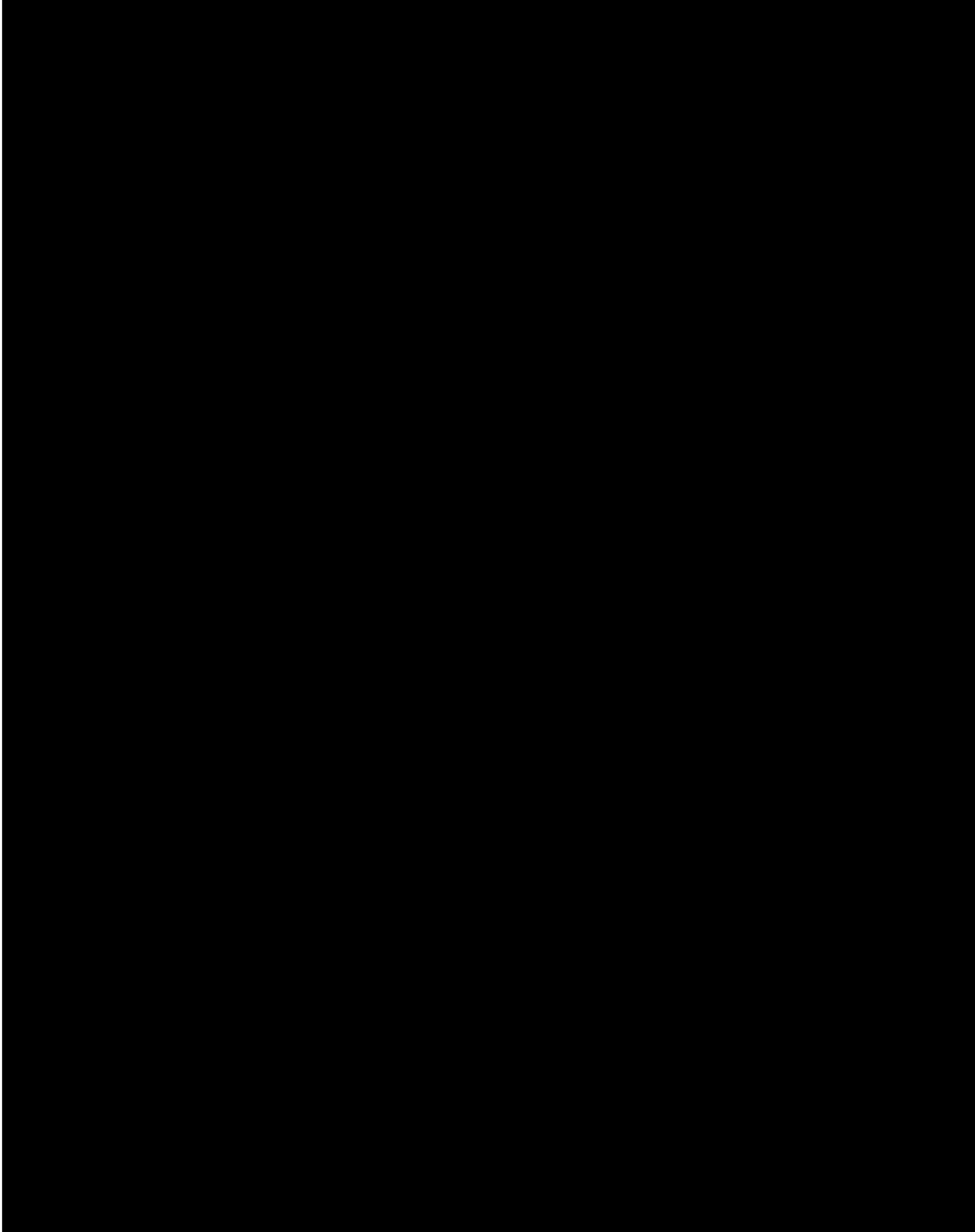


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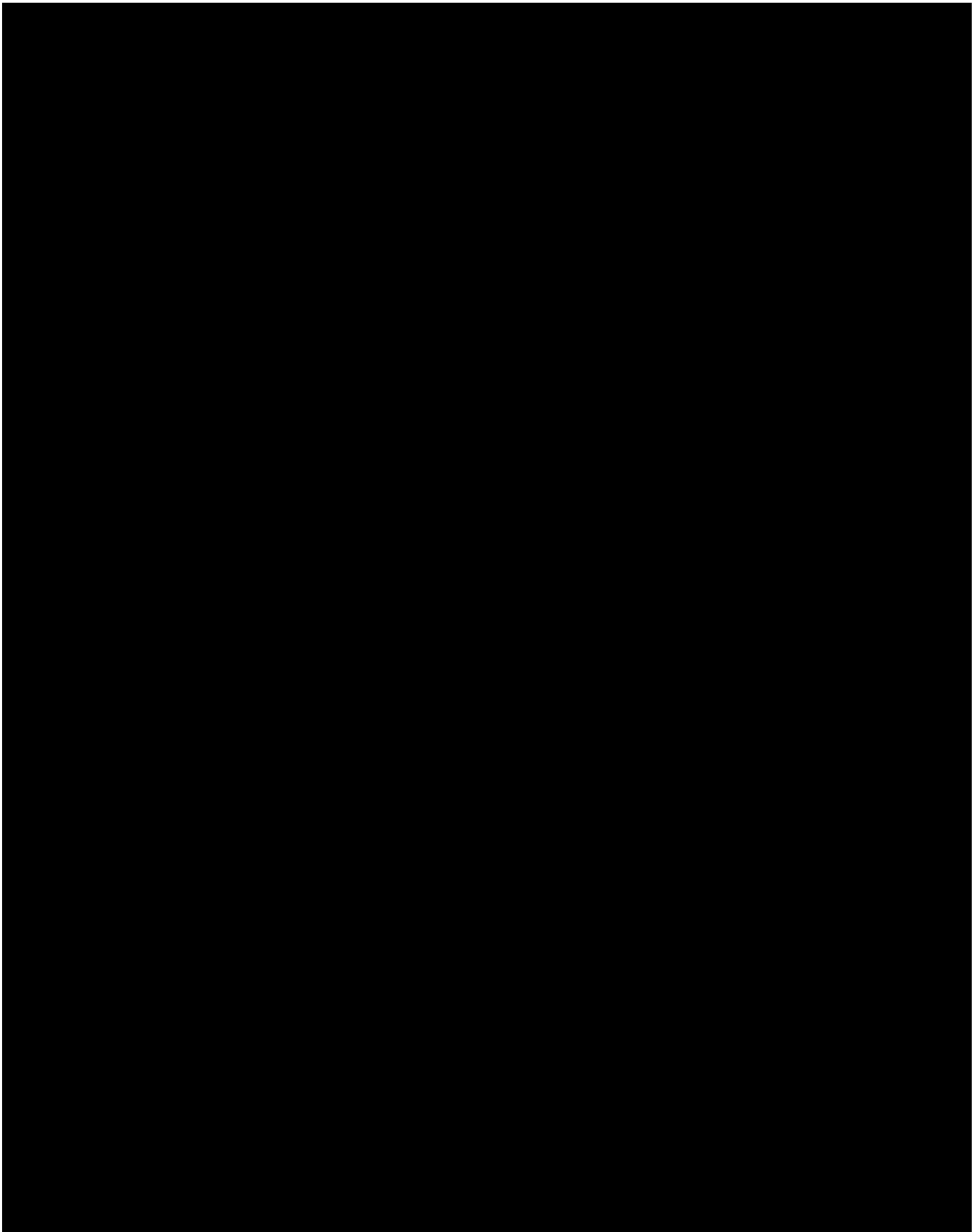


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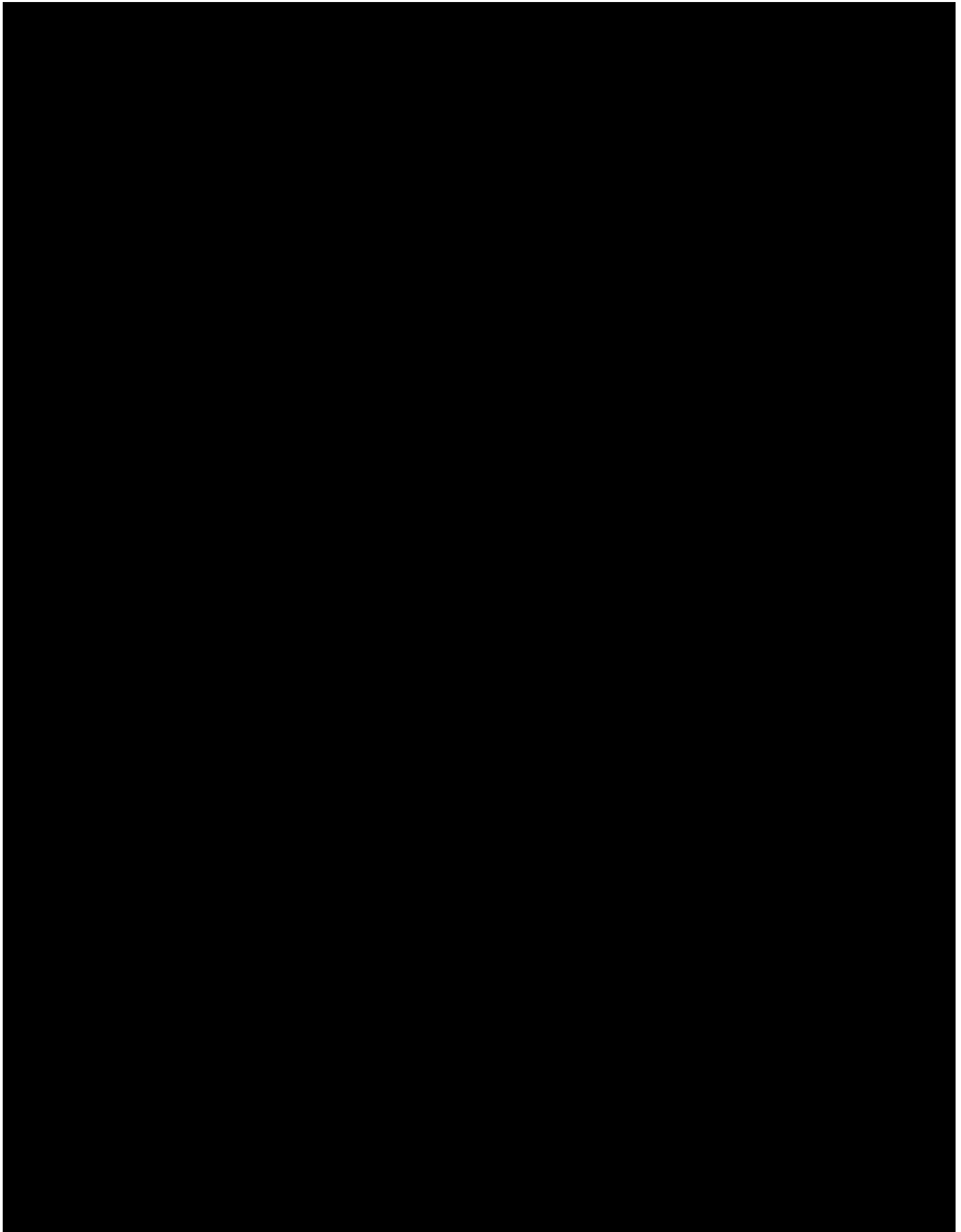
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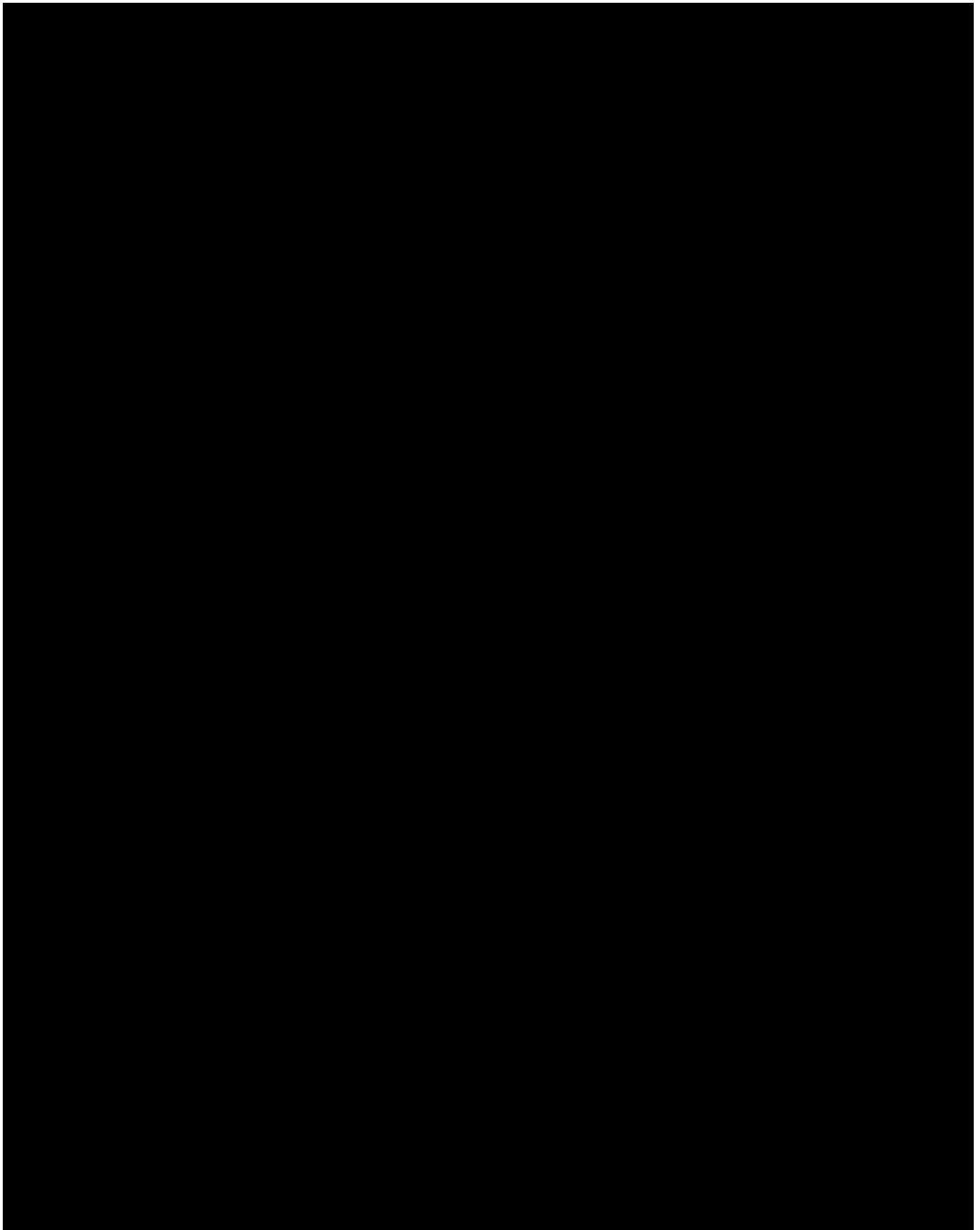
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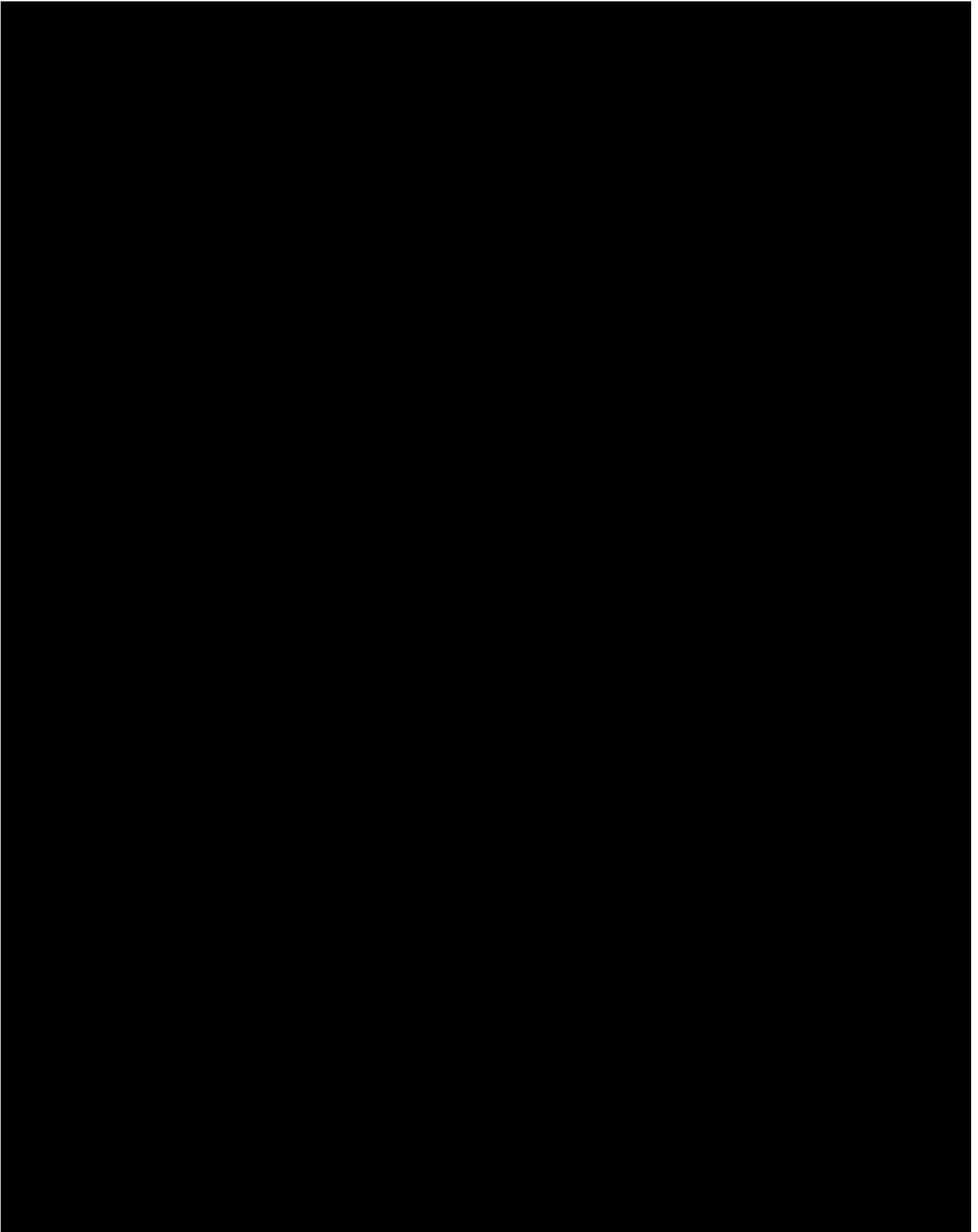
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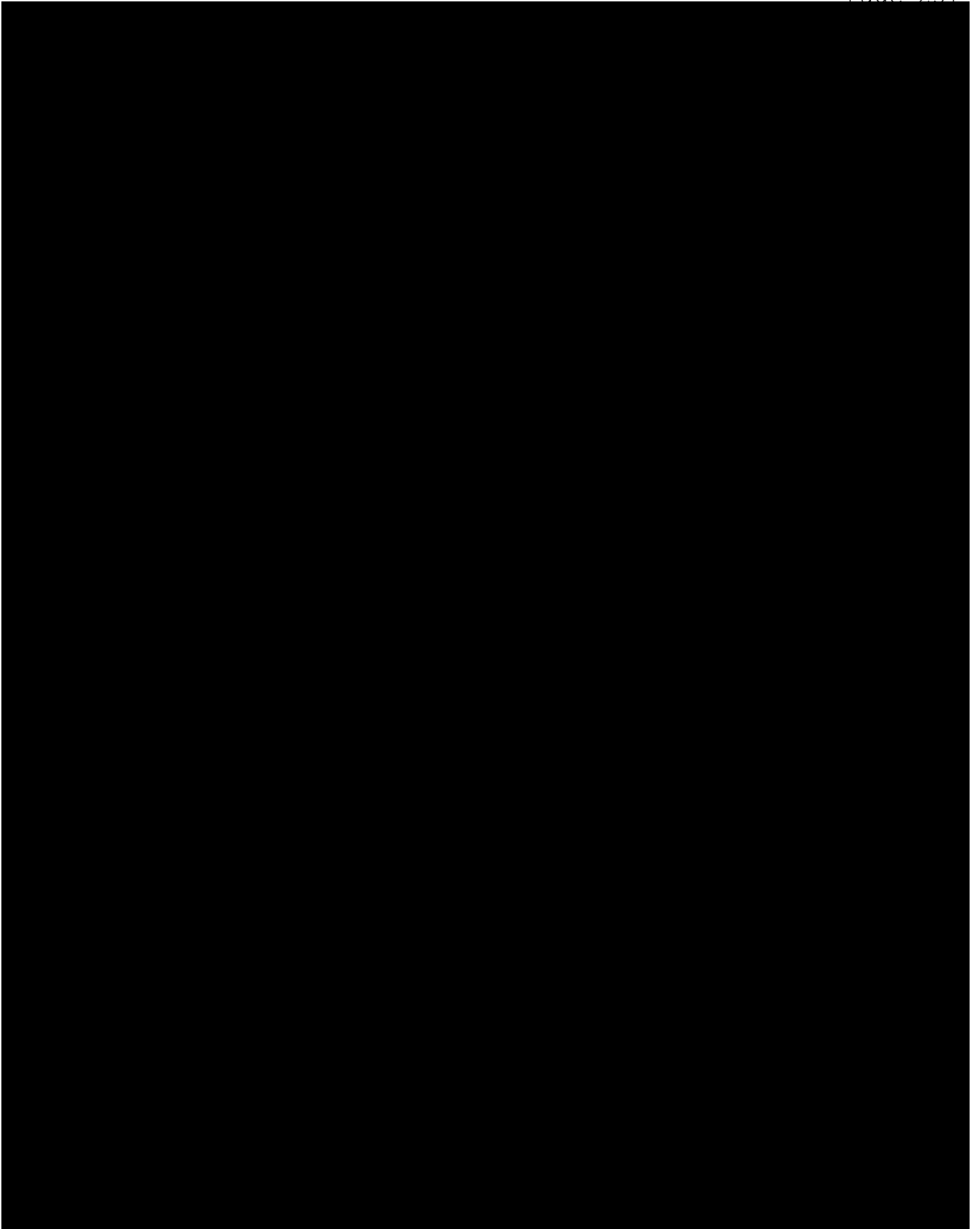


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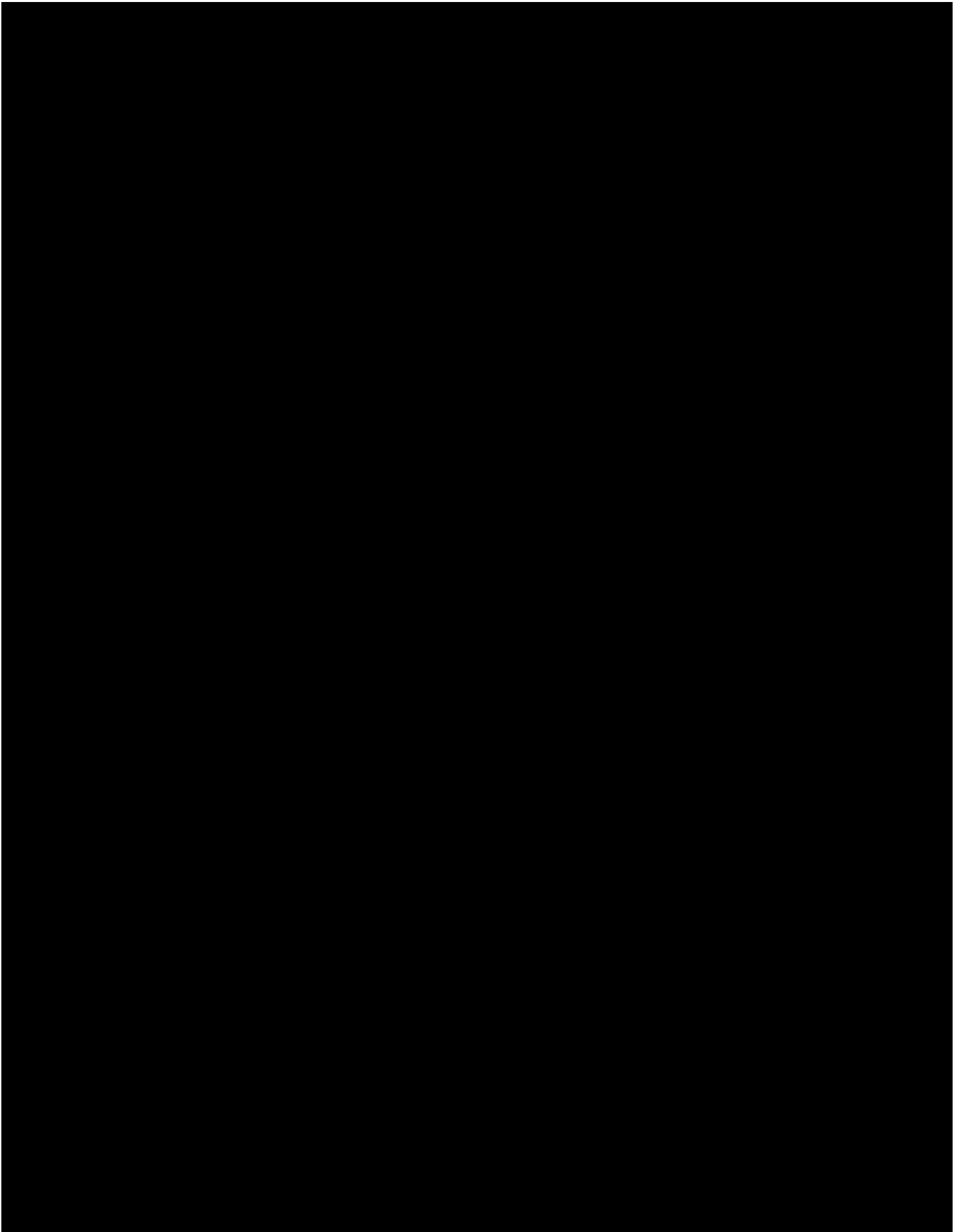


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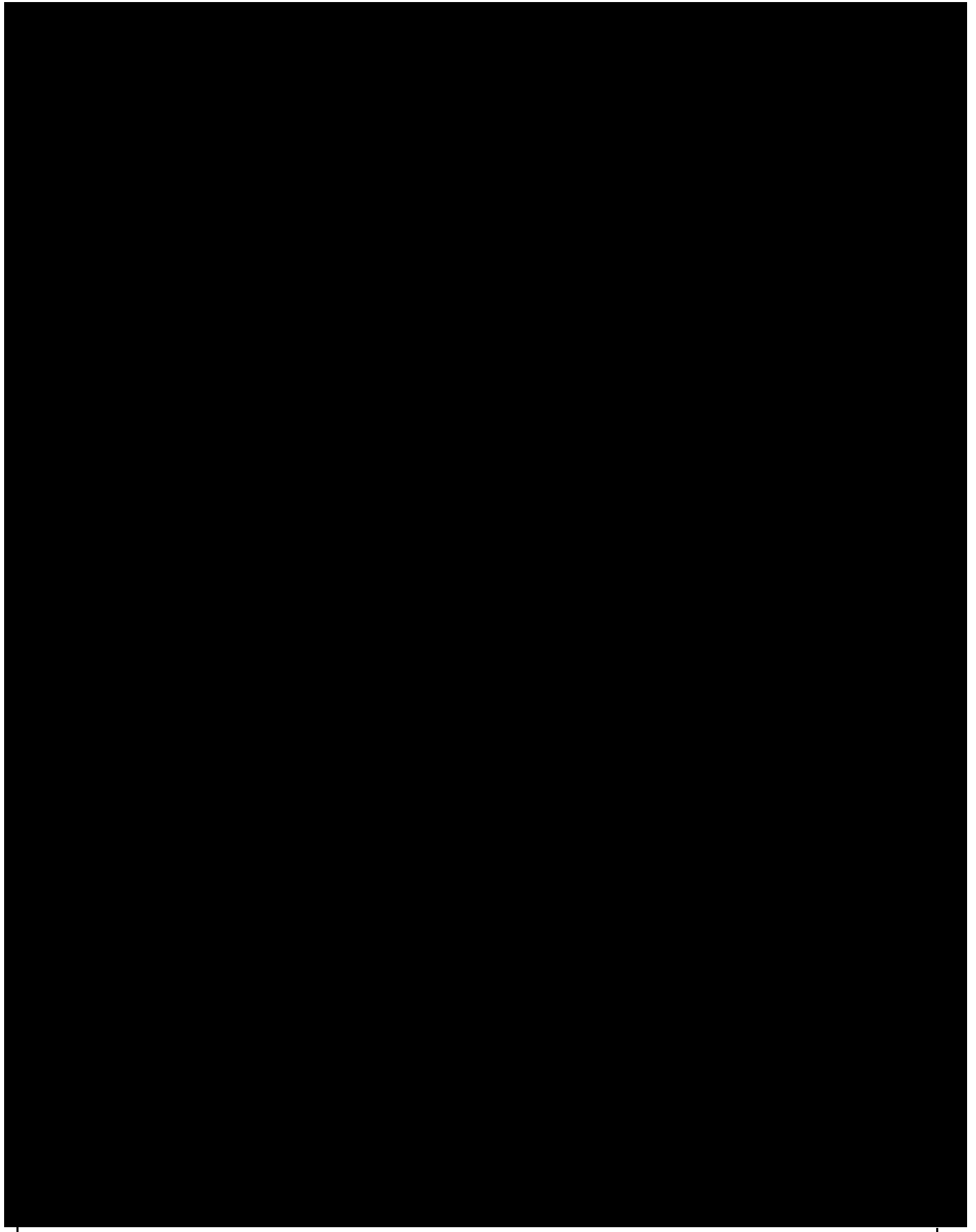
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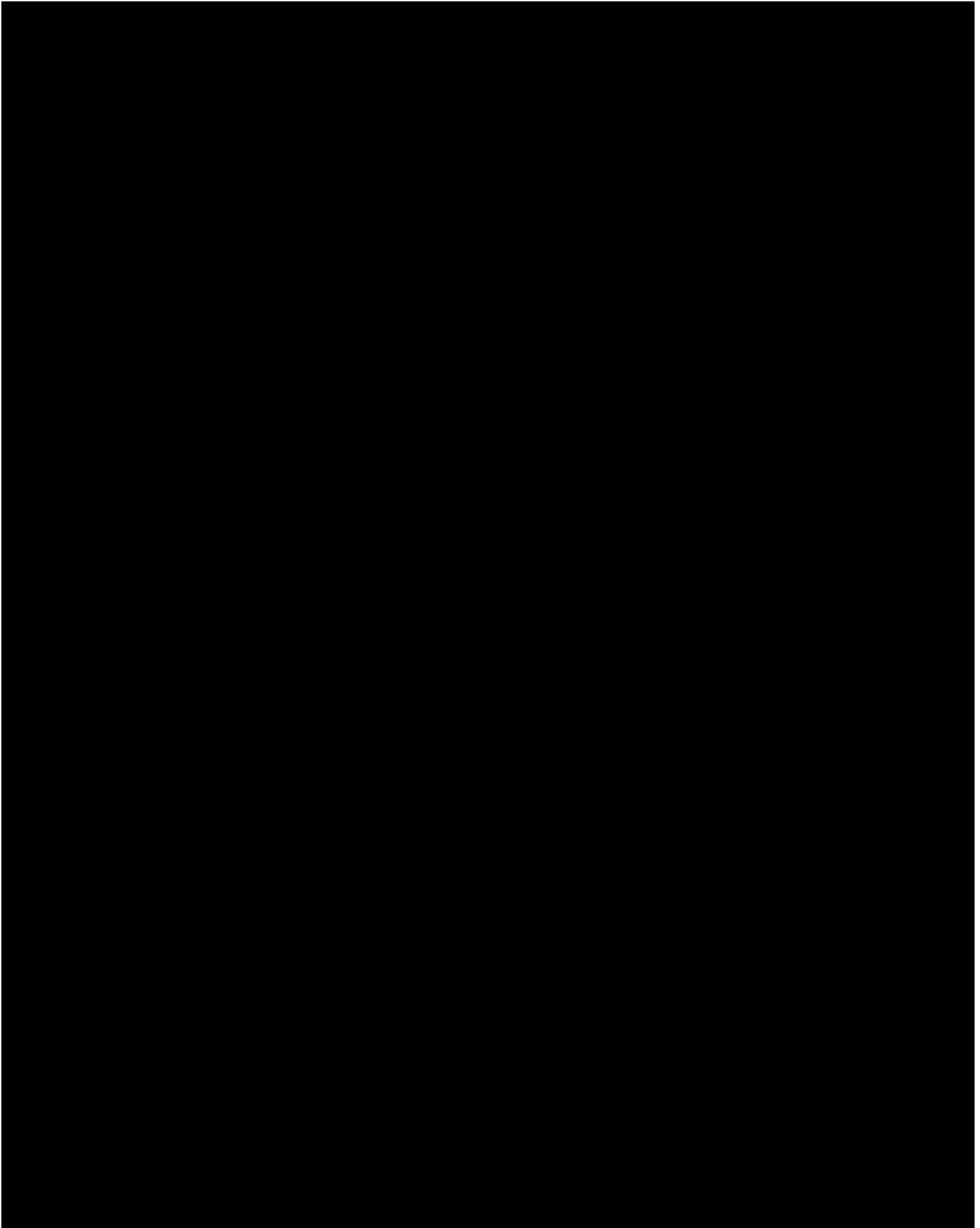
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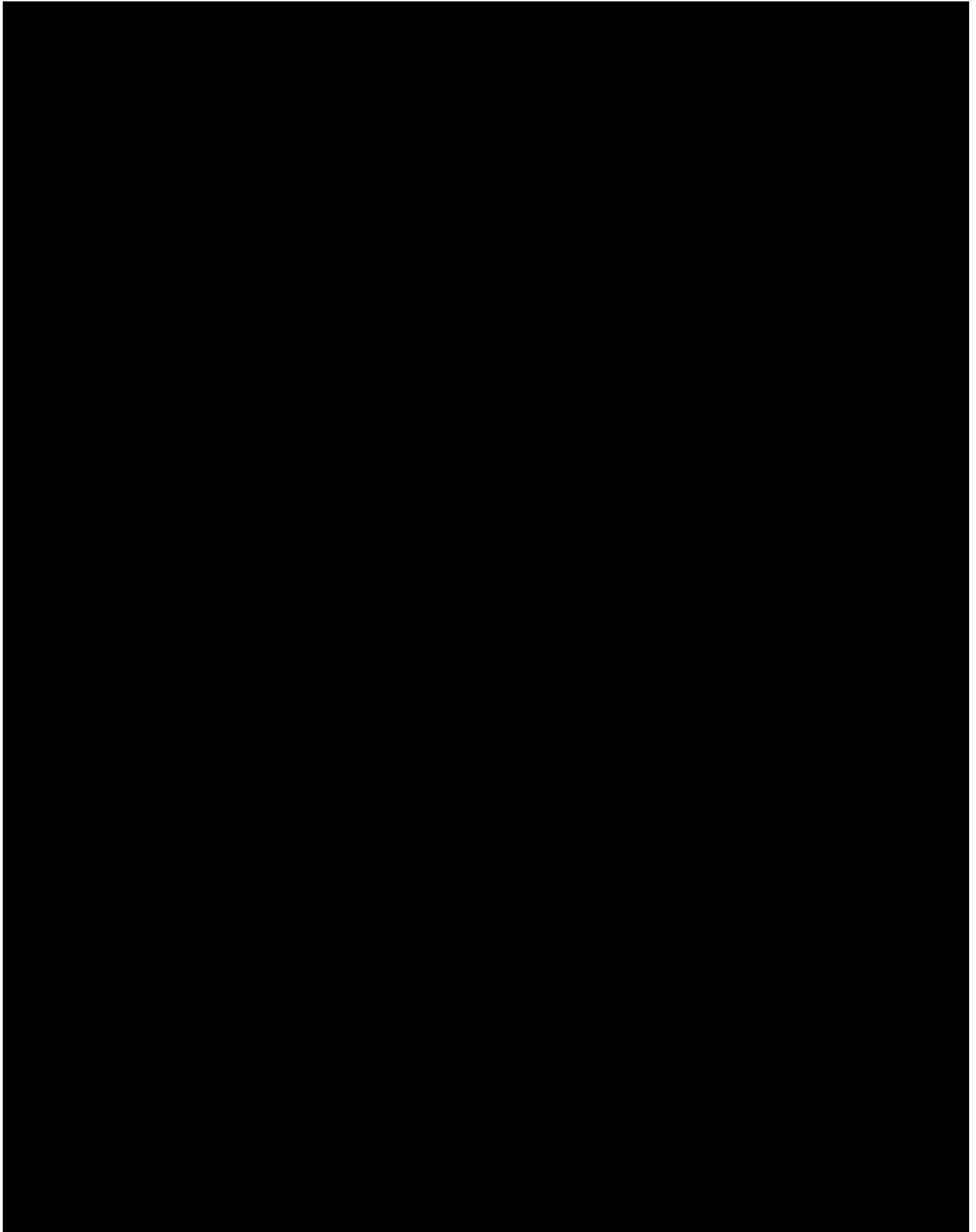
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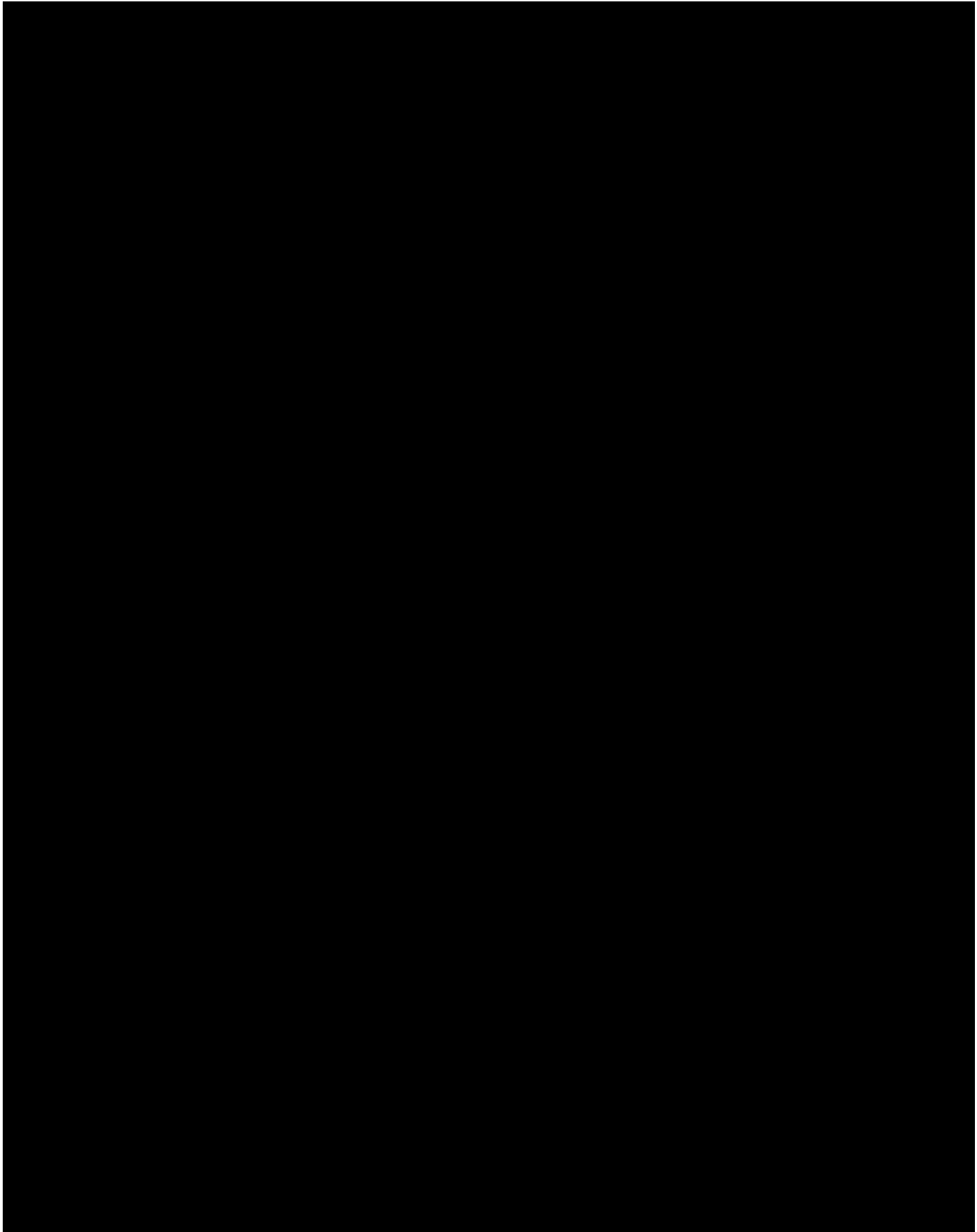
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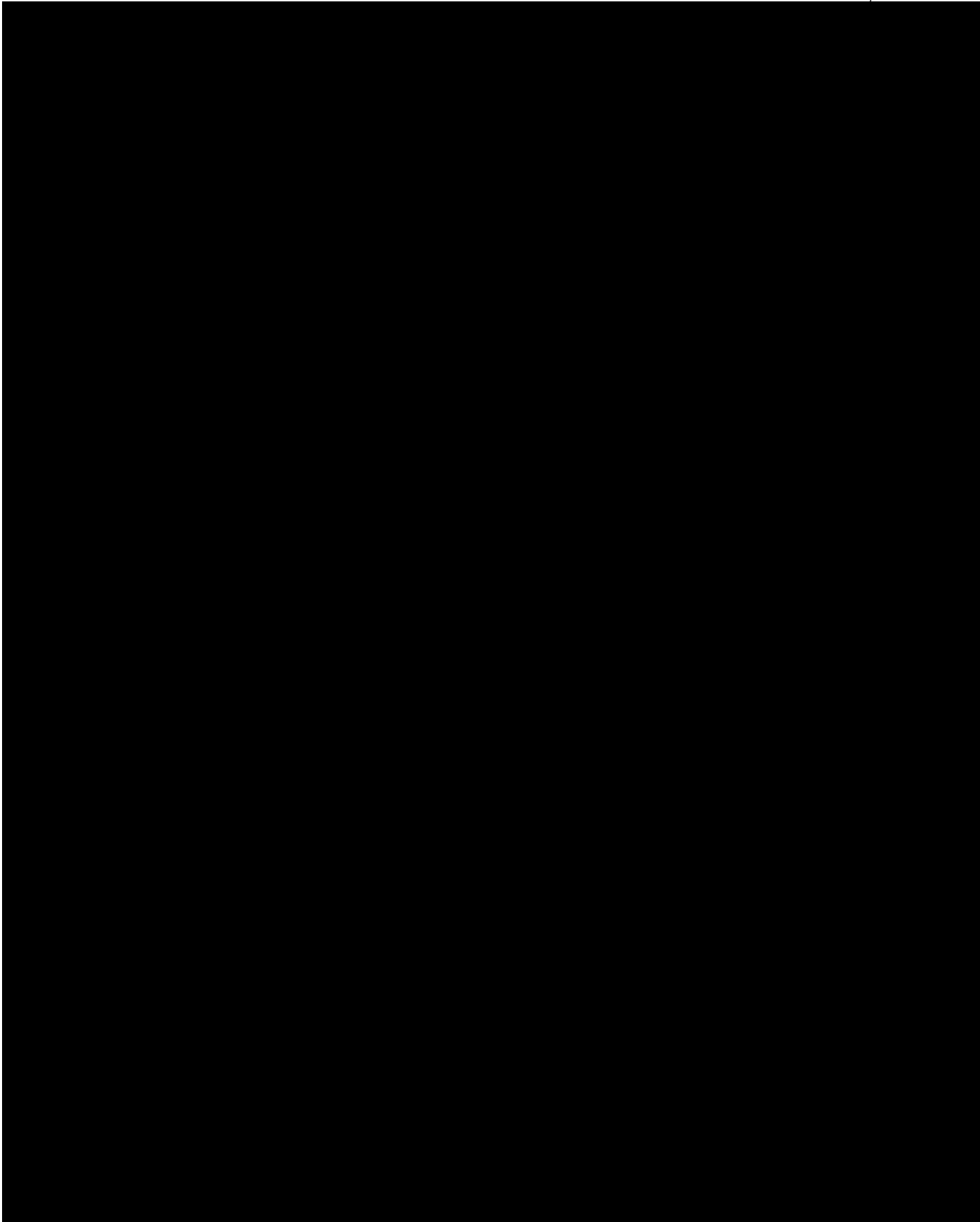


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